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DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1910-11

REPORTED AND EDITED BY

HOLLAND BROS.

Official Reporters of the Senate of Canada

THIRD SESSION—ELEVENTH PARLIAMENT

OTTAWA

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1911

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SENATORS OF CANADA

ALPHABETICAL LIST

THIRD SESSION, ELEVENTH PARLIAMENT, 1 GEORGE V

1901-11

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
BAIRD, G. T.	Victoria	Perth, N.B.
BÉIQUE, F. L.	De Salaberry	Montreal.
BEITH, R.	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A	Ottawa	Ottawa, Ont.
BOLDUC, J	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H.	Kamloops	Monte Creek, B.C.
BOUCHERVILLE, DE, C.E., C.M.G.	Montarville	Boucherville, Que.
BOWELL, (Sir Mackenzie), K.C.M.G.	Hastings	Belleville, Ont.
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CAMPBELL, A.	York, Ont.	West Toronto, Ont.
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CARTWRIGHT, (Sir Richard), G.C.M.G.	Oxford	Ottawa.
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CHEVRIER, N.	Winnipeg	Winnipeg, Man.
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CLORAN, H. J.	Victoria	Montreal.
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COMEAU, A. H.	Digby County	Meteghan River, N.S.
COSTIGAN, J.	Victoria, N.B.	Edmundston, N.B.
COX, G. A.	Toronto	Toronto.
DANDURAND, R.	De Lorimier	Montreal.
DAVID, L. O.	Mille Iles.	Montreal.
DAVIS, T. O	Prince Albert	Prince Albert, Sask.
DERBYSHIRE, D.	Brockville	Brockville, Ont.
DESSAULLES, G. C.	Rougemont	St. Hyacinthe, Que.
DE VEBER, L. G.	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J.	Rothesay	Rothesay, N.B.
DOUGLAS, J. M.	Tantallon	Tantallon, Sask.
EDWARDS, W. C.	Rideau	Rockland, Ont.
ELLIS, J. V.	St. John	St. John, N.B.
FARRELL, E. M.	Liverpool	Liverpool, N.S.
FISET, J. B. R.	Gulf	Rimouski, Que.
FORGET, A. E.	Banff	Banff, Alberta.
FROST, F. T.	Leeds and Grenville.	Smith's Falls, Ont.
GIBSON, W	Lincoln	Beamsville, Ont.
GILLMOR, D	St. George	St. George, N.B.
GODBOUT, J.	La Salle	Beauceville Ouest, Que.
JAFFRAY, R	Toronto	Toronto, Ont.
JONES, L. MELVIN	Toronto	Toronto, Ont.
KERR, J. K (Speaker)	Toronto	Toronto, Ont.
KING, G. G.	Queens	Chipman, N.B.
KIRCHHOFFER, J. N.	Selkirk	Brandon, Man.
LANDRY, P.	Stadacona	Candiac, Que.
LAVERGNE, L.	Kennebec	Arthabaska, Que.
LEGRIS, J. H.	Repentigny	Louiseville, Que.

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SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
LOUGHEED, J. A	Calgary	Calgary, Alberta.
MACDONALD, A. A	Charlottetown	Charlottetown, P.E.I.
MACDONALD, W. J	Victoria	Victoria, B.C.
MACKAY, R	Alma	Montreal.
MACKEEN, D	Cape Breton	Halifax, N.S.
MCDONALD, W	Cape Breton	Glace Bay, N.S.
MCHUGH, G	Victoria, O.	Lindsay, Ont.
MCKAY, T	Truro	Truro, N.S.
MCLAREN, P	Perth	Perth, Ont.
MCMILLAN, D	Alexandria	Alexandria, Ont.
MCMULLEN, J	North Wellington	Mount Forest, Ont.
MCSWEENEY, P	Northumberland	Moncton, N.B.
MILLER, W	Richmond	Arichat, N.S.
MITCHELL, W	Wellington	Drummondville, Que.
MONTPLAISIR, H	Shawinegan	Three Rivers, Que.
OWENS, W	Inkerman	Montreal.
POIRIER, P	Acadie	Shediac, N.B.
POWER, L. G	Halifax	Halifax, N.S.
PRINCE, B	Saskatchewan	Battleford, Sask.
PROWSE, B. C	Charlottetown	Charlottetown, I.P.E.
RATZ, V	North Middlesex	New Hamburg, Ont.
RILEY, G	Victoria, B.C.	Victoria, B.C.
ROBERTSON, J. E	P. E. Island	Montague, P.E.I.
ROCHE, W	Halifax	Halifax, N.S.
ROSS, J. H	Regina	Moosejaw, Saskatchewan.
ROSS, W	Victoria, N.S	Halifax, N.S.
ROSS, Sir George, W., Kt	Middlesex	Toronto, Ont.
SCOTT, Sir Richard, Kt	Ottawa	Ottawa.
SHEHYN, J	Laurentides	Quebec.
SULLIVAN, M	Kingston	Kingston, Ont.
TALBOT, P	Lacombe	Lacombe, Alberta.
TESSIER, JULES	De la Durantaye	Quebec.
THIBAUDEAU, A. A	De la Vallière	Montreal.
THOMPSON, F. P	Fredericton	Fredericton, N.B.
WATSON, R	Portage la Prairie	Portage la Prairie, Man.
WILSON, J. H	Elgin	St. Thomas, Ont.
WILSON, J. M	Sorel	Montreal, Que.
WOOD, J	Westmorland	Sackville, N.B.
YEO, J	East Prince	Port Hill, P.E.I.
YOUNG, F. M	Killarney	Killarney, Man.

(MAY 11TH)

SENATORS OF CANADA

ACCORDING TO SENIORITY

3rd SESSION, 11th PARLIAMENT, 1st GEORGE V.,

1910-11

THE HONOURABLE JAMES KIRKPATRICK KERR, SPEAKER.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
WILLIAM MILLER	Richmond	Arichat, N.S.
WILLIAM JOHN MACDONALD	Victoria, B.C.	Victoria, B.C.
SIR RICHARD WILLIAM SCOTT, KT.	Ottawa	Ottawa, Ont.
LAWRENCE GEOFFRY POWER	Sr. M. Halifax	Halifax, N.S.
C. E. BOUCHER DE BOUCHERVILLE, C.M.G.	Montarville	Montreal, P.Q.
THOMAS MCKAY	Truro	Truro, N.S.
DONALD MCMILLAN	Alexandria	Alexandria, Ont.
WILLIAM MCDONALD	Cape Breton	Glace Bay, N.S.
JOSEPH BOLDUC	Lauzon	St. Victor de Tring. P.Q.
MICHAEL SULLIVAN	Kingston	Kingston, Ont.
PASCAL POIRIER	Acadie	Shediac, N.B.
JAMES ALEXANDER LOUGHEED	Calgary	Calgary, Alberta.
PETER MCLAREN	Perth	Perth, Ont.
HYPPOLYTE MONTPLAISIR	Shawinegan	Three Rivers, P.Q.
ANDREW A. MACDONALD	Charlottetown	Charlottetown, P.E.I.
P. LANDRY	Stadacona	Candiac, Que.
SIR MACKENZIE BOWELL, K.C.M.G.	Hastings	Belleville, Ont.
JOHN NESBITT KIRCHOFFER	Selkirk	Brandon, Manitoba.
GEORGE T. BAIRD	Victoria	Perth, N.B.
JOSIAH WOOD	Westmoreland	Sackville, N.B.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
William Mitchell	Wellington.	Drummondville, Que.
John H. Wilson	Elgin	St. Thomas, Ont.
Hewitt Bostock	Kamloops	Monte Creek.
Sir Richard Cartright, G.C.M.G.	Oxford	Ottawa, Ont.
Philippe A. Choquette	Grandville	Quebec, Que.
James H. Ross	Regina	Moosejaw, Saskatchewan.
Thomas O. Davis	Prince Albert	Prince Albert, Saskatchewan.
William Ross	Victoria, N.S.	Halifax, N.S.
Robert Jaffray	Toronto	Toronto, Ont.
L. George De Veber	Lethbridge	Lethbridge, Alberta.
James M. Douglas	Tantallon	Tantallon, Saskatchewan.
Peter Talbot	Lacombe	Lacombe, Alberta.
George Riley	Victoria	Victoria, B.C.
John Costigan	Victoria, N. B	Edmundston, N.B.
Sir George W. Ross, Kt	Middlesex	Toronto, Ont.
Robert Beith	Bowmanville	Bowmanville, Ont.
Daniel Gillmor	St. George	St George, N.B.
Ambrose H. Comeau	Digby County	Meteghan River, N.S.
George C. Dessaules	Rougemont	St. Hyacinthe, Que.
Napoleon A. Belcourt	Ottawa	Ottawa, Ont.
Archibald Campbell	York, O	West Toronto, Ont.
Daniel Derbyshire	Brockville	Brockville, Ont.
Valentine Ratz	North Middlesex	New Hamburg, Ont.
Noe Chevrier	Winnipeg	Winnipeg, Man.
Arthur Boyer	Rigaud	Montreal, Que.
Benjamin Prince	Saskstchewan	Battleford, Saskatchewan.
Edward Matthew Farrell	Liverpool	Liverpool, N.S.
William Roche	Halifax	Halifax, N.S.
Louis Lavergne	Kenebec	Arthabaska, Que.
Amédée E. Forget	Banff	Banff, Alberta.
Joseph M. Wilson	Sorel	Moutreal, Que.
Benjamin C. Prowse	Charlottetown.	Charlottetown, P.E.I.
William Owens	Inkerman	Montreal, Que.
David Mackeen	Cape Breton	Halifax, N.S.
Sir John Carling, K.C.M.G.	London	London, Ont.
Alfred A. Thibaudeau	De la Vallière	Montreal, Que.
George A. Cox	Toronto	Toronto, Ont.
George Gerald King	Queen's	Chipman, N.B.
Jean Baptiste Romuald Fiset	Gulf	Rimouski, Que.
Raoul Dandurand	De Lorimier	Montreal, Que.
John Yeo	East Prince	Port Hill, P.E.I.
Peter McSweeney	Northumberland	Moncton, N.B.
Joseph P. B. Casgrain	DeLanaudière	Montreal, Que.
Robert Watson	Portage la Prairie	Portage la Prairie, Man.
Finlay M. Young	Killarney	Killarney, Man.
Joseph Shehyn	Laurentides	Quebec, Que.
Lyman Melvin Jones	Toronto	Toronto, Ont.
George McHugh	Victoria, O	Lindsay, Ont.
Robert Mckay	Alma	Montreal, Que.
John V. Ellis	St. John	St. John, N.B.
Joseph Godbout	La Salle	Beauceville, Ouest, Que.
James E. Robertson	P. E. Island	Montague, P.E.I.
Frederick P. Thompson	Fredericton	Fredericton, N.B.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
FREDERICK L. BEIQUE	De Salaberry	Montreal, Que.
WILLIAM GIBSON	Lincoln	Beamsville, Ont.
JAMES McMULLEN	North Wellington	Mount Forest, Ont.
JOSEPH H. LEGRIS	Repentigny	Louiseville, Que.
FRANCIS T. FROST	Leeds and Grenville	Smith's Falls, Ont.
JAMES K. KERR (Speaker)	Toronto	Toronto, Ont.
THOMAS COFFEY	London	London, Ont.
JULES TESSIER	De la Durantaye	Quebec, Que.
WILLIAM C. EDWARDS	Rideau	Rockland, Ont.
JAMES DOMVILLE	Rothesay	Rothesay, N.B.
L. O. DAVID	Mille Iles	Montreal, Que.
HENRY J. CLORAN	Victoria	Montreal, Que.

THE SENATE DEBATES

THIRD SESSION—ELEVENTH PARLIAMENT.

THE SENATE.

THURSDAY, November 17, 1910.

The SPEAKER took the Chair at 2.30 p.m.

Prayers.

THE OATH OF ALLEGIANCE.

The Speaker informed the Senate that the Clerk had been authorized to administer the Oath of Allegiance and the declaration of qualification; also, that it is customary for all members of the Senate to renew their Oaths of Allegiance upon the demise of the Sovereign.

A COMMUNICATION FROM THE GOVERNOR GENERAL.

The Speaker read the following communication:

Government House,
November 17, 1910.

My Dear Senator:

I have just received the handsomely bound and illuminated copy of the address with which the parliament of Canada honoured Lady Grey and me at the close of last session.

It is unnecessary, I feel sure, to tell you that the address, reposing in the massive dignity of its silver couch, appropriately embellished with beaver and maple leaves, shall ever hold a place of distinction in my home, reminding me and my family of very happy years spent in Canada, years illumined for us by constant interest and much enjoyment, by the excitement of unceasing developments, and by the sunshine of universal kindness.

Please accept from me, from Lady Grey and my daughters, the assurance of our heartfelt gratitude for this much valued memento of our stay in Canada and of the warm and friendly feelings entertained towards us by the people of the Dominion.

I remain, with grateful acknowledgments to the Senate and the House of Commons for the honour they have done me,

Very sincerely yours,
GREY.

THE SPEECH FROM THE THRONE.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that,—'It is His Excellency's pleasure that they attend him immediately in the Senate.'

Who being come, with their Speaker;

His Excellency the Governor General was then pleased to open the Session with the following gracious Speech to both Houses:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

When I prorogued parliament in the month of May last, I was about completing the term usually allotted to the office of Governor General, but it has pleased His Majesty King George V. to continue me as His representative in Canada, and therefore it is my great pleasure again to greet you at the opening of this new session.

I meet you under the shadow of the calamity which has befallen this country and the whole British empire, in the demise of our beloved sovereign, King Edward VII. His death is mourned, not only by his subjects the world over, but also by all civilized nations who had learned to appreciate the many gifts and qualities which had earned for him the name of Peacemaker, by which he will be known in history.

It is with great pleasure that I congratulate you on the ever-growing prosperity of this favoured land. Trade and commerce are advancing in all directions with rapid strides. The total volume of imports and exports far

REVISED EDITION.

exceeds all previous records, and the growth of our industries and internal trade keep pace with the development of our external commerce.

Whilst in certain of the western provinces the crops did not realize the sanguine expectations which had been formed in the early spring, yet the total yield was reasonably satisfactory, and the eastern provinces in this regard have been more than ordinarily blessed. The conditions now existing over the whole country conclusively demonstrate that even with lesser production at some points, the vastness and variety of our resources ensure at all times a high degree of progress for the whole country.

Negotiations for the acquisition from the Admiralty of the two cruisers 'Niobe' and 'Rainbow' have been carried on with His Majesty's government, and the two ships have now arrived and are stationed in Canadian waters, in pursuance of the policy adopted last session for the creation of a naval service.

The Hague Tribunal, to which was referred the controversy between Great Britain and the United States, with reference to fisheries in Canadian and Newfoundland waters, has rendered a decision which has been accepted by all parties interested as a fair and equitable adjustment of this long-pending dispute. The result is gratifying, inasmuch as it will tend not only to promote peace and friendship between us and our neighbours, but also to further the practice of settling international questions by means of arbitration.

Marked progress is being made in the construction of the National Transcontinental railway, and a large quantity of grain is this season finding an outlet from the west to the Great Lakes over this new highway. It is hoped that ere long a satisfactory arrangement can be made for the operation of the finished portions of the line, pending the completion of the road from Moncton to Winnipeg.

The construction of a line of railway to Hudson bay, which has occupied the attention of the people for many years, has assumed practical shape. Already a contract has been awarded for the construction of a bridge forming part of this railway, across the Saskatchewan river at Pas Mission, and the work is now in progress. During the present session, a measure will be laid before you providing for the prosecution and completion of this work with all possible speed. The connection of the great west with the eastern portions of Canada and also with the overseas markets, by this new rail and ocean route, will not only open up a new section of Canada, but will greatly assist in the development of trade, and thus benefit both producers and consumers.

The construction of the bridge across the St. Lawrence river at Quebec, the largest work of its kind ever undertaken, has been receiving the careful attention of my government, and the utmost care is being observed so that success may be assured. The substructure is now under contract. Tenders for the erection of the superstructure have been received from four responsible companies, and are now being considered.

It is expected that the contract will shortly be awarded and the work pushed forward to completion.

While recognizing the importance of the Canadian home trade and the great value of the market for our staples in the United Kingdom, my government feel that they should avail themselves of every opportunity to promote friendly commercial relations with the British colonies and foreign countries, so that our surplus products may be admitted into the marekts of those countries on the most favourable terms.

In pursuance of this policy, commercial arrangements, involving reductions of our customs duties, have been made with Italy and Belgium and a reduced schedule of duties has been granted to the Netherlands.

The desirability of more equitable tariff arrangements, between the United States and Canada has long been felt on this side of the border. The commercial policy of the Republic has not hitherto favoured imports from Canada. We have bought largely from the United States, but they have bought much less from us in return. It is gratifying to find that a more liberal policy is now favoured by the neighbouring country, and that the government at Washington express a desire to establish better trade relations with the Dominion. Following the negotiations which took place some months ago between the President of the United States and my government, the results of which were at the time communicated to parliament, a further conference between representatives of the two countries has been held in Ottawa. While no conclusions have been reached, and no formal proposals made, the free discussion of the subject that has taken place encourages my government to hope that at an early day, without any sacrifice of Canada's interests, an arrangement may be made which will admit many of the products of the Dominion into the United States on satisfactory terms.

A very careful inquiry into the conditions of trade and transportation between the British West Indies and Canada has been held by a Royal Commission appointed by His Late Majesty, including among its members two of my ministers. The report of the commission will be laid before you.

In view of the Imperial Conference on Copyright, at which unanimous conclusions were reached in favour of harmonious legislation on the subject throughout the empire, a Bill to revise and consolidate the law on copyright will be submitted to you.

A measure will be submitted to you in furtherance of the provisions of the treaty recently passed with the United States on the subject of contiguous waters.

Bills will also be introduced respecting banks and banking, terminal elevators at the head of Lake Superior; and with regard to the investigation and betterment of industrial and labour conditions and other subjects.

Gentlemen of the House of Commons:

The accounts of the last year will be laid before you.

The estimates for the coming fiscal year will be submitted for your approval at an early date.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

These important subjects and all matters affecting the public interest I commend to your best consideration and pray that Divine Providence may guide your deliberations.

His Excellency, the Governor General, was pleased to retire and the House of Commons withdrew.

BILL INTRODUCED.

Bill (A) An Act relating to Railways.—(Rt. Hon. Sir Richard Cartwright).

The Senate adjourned until Tuesday next at 3 p.m.

THE SENATE.

TUESDAY, November 22, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers.

NEW SENATOR.

Hon. LOUIS LAVERGNE, of the province of Quebec, was introduced as representative for the Kennebec division.

THE ADDRESS.

The order of the day being called:

Consideration of His Excellency the Governor General's speech on the opening of the third session of the eleventh parliament.

Hon. Mr. ROCHE rose to move the adoption of the address.

Hon. Mr. LANDRY—I think we are proceeding in a very irregular way. Before the orders of the day are called we should deal with the business under the heading of routine proceedings. The first notice of motion on the paper is one by the right hon. leader of the House. If the right hon. gentleman does not wish to proceed with it, he should move that the order be postponed.

Rt. Hon. Sir RICHARD CARTWRIGHT—Probably it would be a convenience to the House if I were to move the appointment of the nominating committee.

Hon. Mr. POWER—This seems to be a departure from the usual practice of this House. The practice has been that in accordance with what was supposed to be the courtesy due to His Excellency, the address in reply to his speech should be considered before any of the business of the House. It will be seen that if we proceed with one of those notices of motion we are bound, if we wish to be consistent, to proceed with the whole, and the entire afternoon, which is supposed to be set apart for the consideration of His Excellency's speech, will be devoted to other matters. It would be better to adhere to the practice of dealing with the Governor's speech first.

Rt. Hon. Sir RICHARD CARTWRIGHT—The course I was about to take was in accordance with a suggestion of one or two of my hon. friends. I have no doubt my hon. friend is strictly correct, and I will let the motion stand. If my hon. friend opposite has no objection, we will proceed with the order of the day.

Hon. Mr. LANDRY—I have no objection whatever, but the notices of motion should be called, and by courtesy allowed to stand until after the adoption of the address.

The SPEAKER—The motion for the consideration of the address should take precedence, as a matter of practice. It was ordered to be proceeded with to-day.

Hon. Mr. LANDRY—We have our order paper and must follow it. If there is a practice that we should discuss and dispose of the address first I am quite willing to let my notices of motion stand, but I want to adhere to our rule. We have received petitions, reading of petitions and reports of committees were asked for and of course there were none. Then reports of committees were called for and notices of inquiries and motions also. We went through the routine proceedings to that extent, and when it came to notices of inquiries and motions they should have been called and I was willing to let mine stand until after the adoption of the address.

The notices of motion were allowed to stand.

Hon. Mr. ROCHE—I have risen for the purpose of moving the adoption of the address in response to the gracious speech of His Excellency the Governor General, and I shall take the liberty of making a few comments as I pass along upon the topics contained in that speech. It is obvious that the ancient sarcasm which has been almost crystallized into a proverb—the speech is more remarkable for what it does not contain than for what it does contain—does not apply to this speech, because it is replete with interesting and weighty subjects from beginning to end. His Excellency in a very pleasant way alludes to the mark of distinction conferred upon him by His Sovereign in extending his term of incumbency of the office of Governor General for another year, and the pleasure which he feels in again meeting parliament. We reciprocate that pleasure. All classes who have come into contact with the Governor General and his amiable lady have been impressed by their courtesy and kindness. He has taken infinite pains to devote his time and intelligence in investigating the various resources of the Dominion and employments and conditions of the people, and has not spared himself in going from one end of the Dominion to the other to fit himself for the discharge of his duties as presiding over this great Dominion. We trust that when he is further honoured by His Sovereign and occupies another, though perhaps not more dignified position, in the councils of the empire, one of the great assets and possessions of Canada will be the friendship and good offices of Earl Grey.

He has touchingly alluded—and I am sure the allusion produces a responsive emotion in all our hearts—to the early decease of our late lamented sovereign Edward VII. Cut off in the prime of life, cut off at a juncture when his influence would have a vast effect on the continent of Europe, cut off at a time when his influence would be great in the conflicts of parties in the mother land, and cut off at a time when his character would have been of great value to the world, I trust that he has gone to a richer crown than that of Great Britain and to a place where he will receive the Peacemaker's blessing. Every dark cloud has a silver lining. I saw him when he was a young man, and I saw him a month or two before his lamented decease, as he passed through the streets of the empire's metropolis to open his parliament. I saw the pleasant smile irradiating his face as he listened to the spontaneous plaudits of his people, witnessing to his universal popularity at home and that all parties and all the people of that vast city united in acclaiming him as the Sovereign of their hearts.

I said that every dark cloud had a silver lining. In the person of our present sovereign George Fifth, we have one among us who has taken the opportunity of witnessing the condition of affairs in all parts of the empire. In this Dominion he has journeyed from the west to the east. He has made kindly inquiry into our resources and become familiar with our public men and with many classes of our citizens. I have seen him frequently, walking as a private citizen in the streets of Halifax. He is very familiar with that important city and from his acquaintance with the shores of the maritime provinces, having been in command of a gunboat on that station, he will be better qualified, perhaps, than any sovereign since William IV. to take an intelligent interest in our maritime affairs and to understand the aspirations and wishes of the commercial interests of this great Dominion. A topic in the Governor General's speech is of great interest to us and that is 'The known and observable prosperity of the country at large as evidenced by it's trade.'

I have had a summary of the trade of the Dominion prepared which gives a view in figures of what was very briefly conveyed by the figures of rhetoric. I shall not take up the time of the House by reading it at length and shall only allude to one or two of the figures in order to present it distinctly and by way of contrast, so that you may have an idea of the vast trade which is springing up and is growing and will eventually increase to large dimensions. For this purpose permit me to submit the following statements:—

SUMMARY OF THE TRADE OF CANADA.

Years.	Imports for Consumption.	Exports.	Total Trade.	Duty Collected.
	$	$	$	$
Month of September, 1901 to 1910.				
1901	15,713,229	19,151,523	34,864,752	2,816,048
1902	18,552,654	22,383,951	40,936,605	3,308,058
1903	24,054,131	22,806,750	46,860,881	3,998,717
1904	24,138,373	21,702,884	45,841,257	3,837,975
1905	25,183,778	20,099,041	45,282,819	4,053,517
1906	28,296,614	24,077,294	52,373,908	4,680,268
1907	28,747,390	28,026,152	56,773,542	5,082,731
1908	26,917,406	22,593,163	49,510,569	4,294,251
1909	30,446,439	26,155,314	56,601,753	5,317,498
1910	38,861,256	25,595,813	64,457,069	6,439,317
Six Months ending September, 1901 to 1910.				
1901	97,667,154	102,654,429	200,321,583	15,420,171
1902	108,893,718	115,494,040	224,387,758	17,792,530
1903	141,573,728	121,464,244	263,037,972	21,270,896
1904	138,010,785	106,195,137	244,205,922	21,600,621
1905	141,119,471	106,134,101	247,253,572	22,484,908
1906	163,281,851	137,222,882	300,504,733	25,397,651
1907	194,471,020	138,190,153	332,661,173	31,052,801
1908	142,461,754	118,706,898	261,168,652	22,726,946
1909	173,200,432	131,189,656	304,390,088	28,554,603
1910	223,464,221	136,810,629	360,274,850	35,327,796
Twelve Months ending September, 1901 to 1910.				
1901	181,113,738	194,507,247	375,620,985	29,470,553
1902	205,514,531	216,640,043	422,154,574	33,534,157
1903	249,177,394	231,881,941	481,059,335	38,895,013
1904	250,146,965	205,490,272	455,637,237	40,853,859
1905	264,318,615	200,035,012	464,353,627	42,614,519
1906	302,491,090	271,212,427	573,703,517	48,041,753
1907	371,563,914	273,173,877	644,737,791	58,661,696
1908	306,364,419	260,523,351	566,887,770	49,994,882
1909	328,862,470	273,994,917	602,857,387	53,868,671
1910	426,047,449	306,979,502	733,026,951	67,783,680

TOTAL TRADE OF CANADA.

Fiscal Years.	Imports.	Exports.	Total Trade.
	$	$	$
1883.....	132,254,022	98,085,804	230,339,826
1884.....	116,397,043	91,406,496	207,803,539
1885.....	108,941,486	89,238,361	198,179,847
1886.....	104,424,561	85,251,314	189,675,875
1887.....	112,892,236	89,515,811	202,408,047
1888.....	110,894,630	90,203,000	201,097,630
1889.....	115,224,931	89,189,167	204,414,098
1890.....	121,858,241	96,749,149	218,607,390
1891.....	119,967,638	98,417,296	218,384,934
1892.....	127,406,068	113,963,375	241,369,443
1893.....	129,074,268	118,564,352	247,638,620
1894.....	123,474,940	117,524,949	240,999,889
1895.....	110,781,682	113,638,803	224,420,485
1896.....	118,011,508	121,013,852	239,025,360
Total, 14 years ..	1,651,603,254	1,412,761,729	3,064,364,983
1897.....	119,218,609	137,950,253	257,168,862
1898.....	140,323,053	164,152 683	304,475,736
1899.....	162,764,308	158,896,905	321,661,213
1900.....	189,622,513	191,894,723	381,517,236
1901.....	190,415,525	196,487,632	386,903,157
1902.....	212,270,158	211,640,286	423,910,444
1903.....	241,214,961	225,849,724	467,064,685
1904.....	259,211,803	213,521,235	472,733,038
1905.....	266,834,417	203,316,872	470,151,289
1906.....	294,286,015	256,586,630	550,872,645
1907 (9 mos.)	259,786,007	205,277,197	465,063,204
1908.....	370,786,525	280,006,606	650,793,131
1909.....	309,756,608	261,512,159	571,268,767
1910.....	391,852,692	301,358,529	693,211,221
Total, 14 years...	3,408,343,194	3,008,451,434	6,416,794,628

The great prosperity of the Dominion is expressed in these figures. The condition of the western country is better known to many of those around me than to myself. We have heard that the wheat crop in some of the new provinces has not been as great as last year, but we are told that other crops have compensated for the shortage of wheat, and that there is abundant evidence that the population is making progress in wealth, and increasing both in comfort and happiness. In the eastern provinces, with which I am more familiar, there has been an abundant crop of hay, which is the most valuable crop in those provinces, enabling the farmer to maintain his stock and increase it. Oats, potatoes and other crops are sufficient for the wants of the people, and also afford a margin for export. Although apples have been short in the pro-

vince of Nova Scotia, which is the garden of the world, still the high prices which have prevailed, have given to the horticulturist compensation for his toil and some ready money to purchase his necessaries. The fisheries have not been so prolific as in other years, but with the high prics which have prevailed, the fishermen have been rewarded for their toil, and have received a fair amount as a return for their enterprise, skill and labour.

Another subject the Governor General has been kind enough to allude to in his speech is the arrival of the 'Niobe' and the 'Rainbow.' I went on board the 'Niobe' at Halifax and found her a very substantial ship. The officers are entertaining and all the appointments are first class. The guns and equipment are quite suitable to that ship, and to instruct the young men on board in all the evolutions required for great guns in ships of greater size and more formidable in armament. I trust there will be no tears shed over sacrifices made by people who join the navy. I believe there will be no recruiting in the rural districts, that amongst the maritime population there will be enough who will avail themselves of the training to bring the complement of the ship up to that character which will enable her to execute all the purposes for which she is required as the nucleus and the training ground for the navy. On the Pacific 'My Little Rainbow' has arrived. I believe the people of the province of the setting sun rejoice at the arrival of a vessel of the Canadian navy and feel already a sense of protection and gratitude that their interests have been cared for and that all their maritime concerns are under the surveillance of a power adequate for their protection.

I shall briefly allude to the Hague Tribunal and the questions which were submitted to that tribunal for an award. It is necessary, in order to understand that question, to refer to the conditions of the Treaty of 1783. In that year Great Britain had just concluded a great war which had been carried on in all quarters of the globe. On the one hand was England and on the other hand were France, Spain and the United States. The war had just come to a disastrous close for England. Two of her armies had capitulated. She had lost a great sea fight. Those who wished to assert the right of England to tax 346 chests of tea had lost America ; but the counsels of Bute, Murray, Grenville and Townsend had prevailed. Again there was political convulsion in England. The ministry of Lord North had fallen, the Ministry of Rockingham had fallen, the Ministry of Shelbourne had dissolved, and succeeding that was the combined ministry of North and Fox. The war which had been popular, which had waxed in importance, and had been identified with the interest of England, had terminated in disaster, and the people were in gloom and apprehension. They thought the sun of England had set, that it would go back to be a vassal country, that France and Spain would dominate, as they had dominated before, and that England would return to the days of Charles Second and James Second. People who have lost some great possession are very likely to throw some very small one after it, and so the plenipotentiaries of England and the United States had some formal negotiations. It seems that England had to submit to a humiliation at that time, but very fortunately at the moment the United States plenipotentiary to the Court of Madrid arrived in Paris, Rodney achieved his memorable victory, giving the English a vantage ground which they were ready to seize. John Jay conferred with the British plenipotentiaries and others and told his associates that the design of France and Spain was to extend the dominions of Spain from Mexico northward and take in all that region which now belongs to the United States west of the Mississippi. They were also to cut off from the United States all that region which is composed of the States of Minnesota, Dakota and Michigan, and to divide it amongst them, for the purpose of indemnifying themselves for the cost of the late war. In addition to that, they proposed—which would have been the greatest humiliation to England—that they would take possession of Gibraltar, which had been captured by British valour against odds, and defended by British

valour, by the ancestor of the late Governor General, Lord Minto. This was a humiliation which the English plenipotentiaries could not brook. To lose the bright jewel of America from the Crown of Great Britain might be tolerated, but to lose Gibraltar and suffer a European humiliation could not be borne. Therefore they came with the plenipotentiaries of the United States, Adams, Jay and Franklin and concluded the original propositions of that treaty. France intrigued with the United States to allow them to treat only as following the lead of France. The United States government acceded to that, but contrary to the instructions of his own government, John Adams made the proposal to Great Britain that the United States and England should treat together, and ignore France and Spain, and that treaty was made. John Adams was a man of independent, forceful and courageous character. He was a Massachusetts man, and well acquainted with the fishing interests on the coast. The British Commissioner, Mr. Hartley, a member of parliament, had very little knowledge of the concerns and interests connected with fishing, or other interests, of what were supposed to be insignificant possessions of the British Crown in North America, and they made concessions which ought not to have been yielded. John Adams asserted that as they had fished in common on those coasts when they were British colonies, they should have that right still and he wished to insert in that treaty the word 'forever', a proposition which the British Commissioners had the courage to resist. They thought at the same time that Nova Scotia and other fishermen should participate in the fisheries on the New England coast, which John Adams refused. However, concessions were made which were too great, but owing to the condition of England, and in order to secure greater interests, what might be termed a sacrifice to the United States was made. They did not deem that it would be of great importance.

When the treaty of Ghent was concluded, England then stood in a far better position. When the conference was held in London, in 1818, the European war had been concluded, Napoleon had been overcome by combined Europe. England stood in a much higher position than when the first treaty was concluded, and, therefore, the treaty and convention of 1818 limited the right of the United States in the use of our fisheries. At the convention of 1818 this was passed as the first article :

> Whereas conditions have arisen respecting liberty claimed by the United States or the inhabitants thereof to take, dry and cure fish on certain coasts of His Britannic Majesty's Dominions in America. It is agreed between the high contracting parties that the inhabitants of the said United States shall have, wherever and in common with the subjects of his Britannic Majesty liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray and the United States hereby renounce for ever any liberty heretofore enjoyed or claimed by the habitants thereof to take, dry or cure fish within three miles of any coasts, creeks or harbours of His Britannic Majesty not included within the above mentioned limits provided, however, that the American fishermen shall be permitted to enter such bays or harbours for the purpose of shelter or obtaining water and for any other purpose whatever, &c.

This led to several divisions, and also to some conflict between the fishermen of the United States and the fishermen of Nova Scotia and between the authorities on the subject of the privileges conveyed under this treaty. It was thought necessary and in the interest of peace that this treaty should be submitted to the Hague Tribunal for a settlement of the subject in controversy, and to the Hague Tribunal were submitted seven questions.

Question No. 1 was as to the right of the United States to concur in the regulations. That is, that Great Britain or the Dominion as the sovereign power should make regulations governing the fisheries, the way in which they were to be conducted, the people to be employed, time and other regulations necessary for the conservation of the fisheries in the interest of both treaty parties having liberty thereto. The United States contended that they had a concurrent right, that no regulations should be made by Great Britain without the concurrence and approval of the United States. If the United States withheld their approval because of this regulation either there would be a conflict, or the United States fishermen would be able to take fish unrestricted, according to their own methods. That was

decided in favour of Great Britain, with a reference to the Hague Tribunal or a committee thereof with regard to the reasonableness of the regulations to be formed ; which in fact was upholding the British sovereignty and maintaining our rights over a very important and most essential element in the conduct of the fisheries.

The second question was : Have the United States a right to employ subjects of other nations as a crew? The object of the United States was to enable their fishing vessels to procure crews in Newfoundland, or to have foreigners as part of their crews. This was decided in favour of the United States; that under the treaty they had that liberty.

The third question was: Can American fishermen be subject to light money, harbour dues, &c. Newfoundland had made some extreme exactions in that way, and had made regulations practically excluding American fishermen, and it was a loss to them. That was decided in favour of the United States, the tribunal holding that they were not subject to light dues, and other exactions of that kind.

The fourth question was : Are American fishermen, when allowed to enter harbour for shelter, wood and water, subject to light money, and harbour dues? This was decided in favour of the United States with a proviso.

The most important question was No. 5:

From where must be measured the three marine miles off any of the coasts or creeks, and harbours referred in said article.

Decided in favour of England and Canada. The ancient contention that they were to keep three miles off the heads of the smaller bays was upheld. The tribunal decided that where a bay was so large as to lose that character, the line was to be drawn over a separation of ten miles and the three marine miles computed from that. This was the most substantial contention put forward by the British government.

The sixth question was: Have the United States liberty to take fish in the bays, harbours and creeks on that part of the south coast of Newfoundland that extends from Cape Race to a point on the northern and western coast of Newfoundland. Decided in favour of the United States, Newfoundland's view being extreme.

Hon. Mr. ROCHE.

The seventh and last question was : Are the vessels of the United States, which resort to the treaty coast for the purpose of exercising the liberty referred to in the article of the treaty of 1818, entitled to have for these vessels the commercial privilege accorded by agreement or otherwise. This was decided in favour of Newfoundland. The tribunal held that the commercial privileges did not extend to foreign vessels as well, that if a vessel was engaged in a commercial voyage she could not also take up a fishing voyage, and if she were engaged in fishing she could not be engaged in a commercial enterprise. So that you see in three of the most important of these contestations the Canadian-British case prevails. This was a great triumph for Canada and will be of lasting benefit to the fishing inhabitants of the maritime shores. The Canadian case was well prepared by the Departments of Justice and Marine and Fisheries, showing the advantage of utilizing local knowledge, as compared with conducting negotiations apart from Canada. The treaty of 1783 was conducted in the absence of men of expert information and very valuable rights were transferred to an alien power for reason of state, perhaps, in which we had no great interest. The Canadian commission that conducted these negotiations were the Hon. Mr. Aylesworth, associated with Sir Wm. Robson, Sir Robert Finley and Sir James Winter, Newfoundland.

The gentlemen who prepared the evidence, were Messrs. Ewart and Tilley, the Canadian officials of the Fisheries Department participating, and a material advantage has accrued from their prolonged and systematic labour. We ought to congratulate ourselves on the material advantage gained. That portion of the wealth of the sea is our rightful inheritance, and we have the moral satisfaction of knowing that the pretensions put forward by Canada were founded upon substantial rights, and that it was not a flimsy pretense, for the purpose of gaining an advantage—that it was a right of sovereignty which was asserted and maintained with calmness and dignity and force, and which will avail Canada in all subsequent negotiations. We possess an undoubted international right accorded to us by a peaceful tribunal composed of

experts upon international law and we will retain that right. It will be useful to us as showing from the prestige of success upon this occasion that all subsequent conditions are founded on the same substantial moral grounds and will redound to the reputation of Canada.

The next topic I shall allude to is the Transcontinental railway, a subject of great interest to every portion of the country. Our hopes and fears are bound up with the Transcontinental railway. Great expectations have been excited in all portions of the Dominion by its construction and progress and by the hope of its early termination and at the risk of trespassing a little upon the attention of the House, which I know is interested in this subject, permit me to read a statement prepared by the officials showing the progress of the Transcontinental railway up to this time.

Status of Work on Eastern Division of National Transcontinental Railway to October 31st, 1910.

64 p.c. of total work completed.

Track laid—
995 miles in main line.
187 miles in sidings, &c.

Bridges—
Estimated total weight of bridges, 55,000 tons.
Bridges erected, 15,700 tons.
In course of erection, 28,366 tons.
Bridges not yet contracted for, 10,934 tons. (approximate.)

Expenditure—
Total expenditure, under all heads, to November 17, 1910, $85,997,193.10.

Status of Work by Provinces.

New Brunswick—
Total mileage, 256.
Track laid, 232 miles (main line).
Track laid, 46 miles (sidings).
92 p.c. of total work completed.

Quebec—
Total mileage, 700.
Track laid in main line, 285 miles.
Track laid in sidings,
69 p.c. of total work completed.

Ontario—
Total mileage, 757.
Track laid in main line, 340 miles.
Track laid in sidings, 72 miles.
52 p.c. of total work completed.

Manitoba—
Total mileage, 89 miles.
Track laid, 89 miles.
96 p.c. of work completed.

The section between Winnipeg and Lake Superior Junction, 246 miles, is completed and in operation by the Grand Trunk Pacific Company carrying grain from points west of Winnipeg via. the Transcontinental railway and the Grand Trunk Pacific branch line to Fort William and Port Arthur.

The next subject to which I shall allude, in passing, is the Hudson Bay railway, and I shall quote the language of the speech—that the bridge across the Saskatchewan is finished and the whole line will be pushed towards completion.

The next subject in which we are interested greatly is the bridge at Quebec. It was a shock to the people of the whole country when they heard that the Quebec bridge had fallen, and although they grieved over the loss of life and the postponement for a time of this great enterprise there was one universal determination, build the bridge up no matter what it costs, build it stronger, that that link between the commerce of the west and the commerce of the east may be in a position to serve its purpose not only as a material work, but to testify to the people of the east and west that the material bond which binds them together cannot be severed and that the country will make every sacrifice to maintain those commercial and friendly relations between all portions of the great Dominion.

Allusion has been made in the speech to the trade of Canada with the United Kingdom, and also to the extension of trade relations by a decreased tariff with Holland, Belgium and Italy, but I think the interest of those who are present will be more concentrated on the condition of trade with Great Britain, because it is the mother land, and because our trade with that country has always been of considerable proportions and considerable importance. The following statement shows the growth of that trade:

TRADE OF CANADA WITH UNITED KINGDOM.

(Merchandise only.)

Fiscal Years.	Imports for Consumpt'n.	Exports Canadian Produce.	Total Trade.
	$	$	$
1883.....	51,679,762	39,538,067	91,217,829
1884.....	41,925,121	37,410,870	79,335,991
1885.....	40,031,448	36,479,051	76,510,499
1886.....	39,033,006	36,694,263	75,727,269
1887.....	44,741,350	38,714,331	83,455,681
1888.....	39,167,644	33,648,284	72,815,928
1889.....	42,251,189	33,504,281	75,755,470
1890.....	43,277,009	41,499,149	84,776,158
1891.....	42,018,943	43,243,784	85,262,727
1892.....	41,063,711	54,949,055	96,012,766
1893.....	42,529,340	58,409,606	100,938,946

TRADE OF CANADA WITH UNITED KINGDOM.—*Con.*

Fiscal Years.	Imports for Consumpt'n.	Exports Canadian Produce.	Total Trade.
	$	$	$
1894.....	37,035,963	60,878,056	97,914,019
1895.....	31,059,332	57,903,564	88,962,896
1896.....	32,824,505	62,717,941	95,542,446
Total, 14 years...	568,638,323	635,590,302	1,204,228,625
1897.....	29,401,188	69,533,852	98,935,040
1898.....	32,043,461	93,065,019	125,108,480
1899.....	36,931,323	85,113,681	122,045,004
1900.....	44,279,983	96,562,875	140,842,858
1901.....	42,819,995	92,857,525	135,677,520
1902.....	49,022,726	109,347,345	158,370,071
1903.....	58,793,038	125,199,980	183,993,018
1904.....	61,724,616	110,120,892	171,845,508
1905.....	60,342,704	97,114,867	157,457,571
1906.....	69,183,915	127,456,465	196,640,380
1907 (9 mos.)	64,415,415	98,691,186	163,106,601
1908.....	94,417,314	126,194,124	220,611,438
1909.....	70,682,101	126,384,724	197,066,825
1910.....	95,336,427	139,482,945	234,819,372
Total, 14 years...	809,394,206	1,497,125,480	2,306,519,686

A subject of great importance, both to the maritime provinces and to other parts of Canada, and of great importance to the United States also, is reciprocity in trade between the United States and Canada. There are differences of opinion on this subject. In some portions of the country they wish to lower the duty, and in some portions they wish to have unrestricted reciprocity with the United States. In other portions they require the tariff wall to be kept up. I am informed that preliminaries were conducted between gentlemen sent from the United States to Ottawa to ascertain whether some articles of consumption might not be admitted at lower rates, or free of duty. One of these gentlemen, after leaving Ottawa, has unfortunately passed away from us, teaching us what shadows we are and what shadows we pursue. The conduct of the United States in the past has not been such as to invite confidence. Those statesmen in the United States who have guided the destinies of the republic had no friendly feeling for Canada and no liberal sentiment towards their neighbour. Their policy has been to exact the uttermost farthing, and they so guided their means of collecting revenue as to make it oppressive, burdensome and irksome to Canada, and many of our people have said Canada would serve them right if she adopted the United States tariff and applied it to imports from that country, but wiser counsels have prevailed, and though we have been treated in a niggardly spirit, we have open minds and hearts and consult our own interests and treat our neighbours in a liberal way. Let us look at the trade with the United States for information.

TRADE OF CANADA WITH UNITED STATES.

(Merchandise only.)

Fiscal Years.	Imports for Consumpt'n.	Exports Canadian Produce.	Total Trade.
	$	$	$
1883.....	55,147,243	39,513,225	94,660,468
1884.....	49,785,888	34,332,641	84,118,529
1885.....	45,576,510	35,566,810	81,143,320
1886.....	42,818,651	34,284,490	77,103,141
1887.....	44,795,908	35,269,922	80,065,830
1888.....	46,440,296	40,407,483	86,847,779
1889.....	50,029,419	39,519,940	89,549,359
1890.....	51,365,661	36,213,279	87,578,940
1891.....	52,033,477	37,743,430	89,776,907
1892.....	51,742,132	34,666,070	86,408,202
1893.....	52,339,796	37,296,110	89,635,906
1894.....	50,746,091	32,562,509	83,308,600
1895.....	50,179,004	35,603,863	85,782,867
1896.....	53,529,390	37,789,481	91,318,871
Total, 14 year ..	696,529,466	510,769,253	1,207,298,719
1897.....	57,023,342	43,664,187	100,687,529
1898.....	74,824,923	38,989,525	113,814,448
1899.....	88,467,173	39,326,485	127,793,658
1900.....	102,080,177	57,996,488	160,076,665
1901.....	107,149,325	67,983,673	175,132,998
1902.....	114,744,696	66,567,784	181,312,480
1903.....	128,790,237	67,766,367	196,556,604
1904.....	143,010,578	66,856,885	209,867,463
1905.....	152,431,626	70,426,765	222,858,391
1906.....	168,798,376	43,546,306	252,344,682
1907 (9 mos.)	148,598,061	62,180,439	210,778,500
1908.....	204,648,885	90,814,871	295,463,756
1909.....	170,056,178	85,334,806	255,390,984
1910.....	217,502,415	104,199,675	321,702,090
Total, 14 years...	1,878,125,992	945,654,256	2,823,780,248

Some reference has been made in the speech from the Throne to the trade between the West Indies and Canada. That trade is increasing. We are taking more

of the production of the West Indies and the West Indies are beginning to take more of ours. I trust that that trade will grow. With better means of communication and more knowledge of the wants of the people, trade will greatly increase in that direction.

Allusion is made to the contiguous waters treaty, a treaty tending towards amicable relations between the United States and Canada with regard to public works on rivers and streams where the interests of the two countries unite. I trust that that will tend in the general direction of peace and goodwill, and also secure the best material interests of the two countries.

This brings me to a very interesting part of the Governor General's speech, and that is promised legislation in which we are all going to have a part. First of all, a Bill is to be introduced with regard to banks and banking. I may say the bankers of the Dominion have met and conferred and have given their views as to the best means of banking, to make it secure and popular and satisfactory to all classes. They have laid their views before the government, and I believe the government has incorporated those views in a Bill. It is to our satisfaction—we are proud of our institutions—that the banking system of Canada is being regarded as worthy of consideration, and of imitation in the United States, that our principles are superior to those on which United States banks are founded, that whereas some of the National banks of the United States have been embarrassed, and two or three banks in London itself have failed, no bank in Canada has had to succumb during the past year, showing the stability of our institutions and that our model is imitable, and probably will be adopted in that great country to the south of us.

There is another subject of great interest to the west, that is the establishment of terminal elevators for the protection of grain in transit. I have no doubt the government would give assistance in that direction, and the legislation will be of great interest to those portions of the country which produce grain and to other portions which are the fortunate receivers and transmitters of that grain. Last of all, legislation is to be submitted to us for the regulation of labour disputes. We are all interested in the condition of the labourer, and in the quieting of labour. A great desideratum would be attained if the labourers were satisfied that tribunals acted fairly and for their interests. It behooves every one who has influence with labourers to convey that impression to their minds, that they are not oppressed by capitalists and that capitalists do not over-prevail in these arbitration boards, but that the interests of the labourers are entertained and cared for and that they are dear to the government and as dear to any of these tribunals as the interests of capitalists or any other class. It is the duty of public men and the public press to explain the sinister effect of strikes. When men are prevailed upon to resort to brute force and violence, a strike is a calamity in any community, and we should endeavour to show its malignant effects, which fall upon women and children and helpless people. We will be conducting a good work and achieving a favourable termination if we pass such legislation as will be satisfactory to the labouring classes and quiet them and enable them to take their part in the development of this great country.

Again, in conclusion, the Governor General wishes for us success and invokes the aid of Divine Providence to guide us in our deliberations. We reciprocate and repeat that prayer. The destinies of Canada are great; a brilliant future is before it. Who will have wisdom and strength to conduct the multifarious affairs of this great country? We are assured that 'there is a Divinity that shapes our ends roughhew them as we will,' and to His guidance we trust; but we ourselves must do our part, and if we work in combination, with wisdom, judgment and harmony, we will receive all the material advantages which are before us in the destiny of this great country. But if, unhappily, there should be firebrands—and I know some people are beginning to sow the seeds of discord—I would remind them that it was the torch of a Roman legionary which destroyed the temple that was forty-six years in building, and it has never been rebuilt. We should frown down all attempts to sow discord among the various elements of our population and labour in harmony if we can for the achievement of our great destiny and

to make Canada first among the nations of the world.

Hon. Mr. BELCOURT (Translation)—The task of seconding the address in reply to the speech from the throne had been entrusted, by the right hon. the leader of this House, to our new colleague, the hon. senator for the division of Kennebec. Our hon. friend has been prevented from fulfilling this duty by an indisposition which, we hope, will be slight and of a temporary nature, and we trust that the pleasure we would have had in hearing him for the first time in this House, is but postponed for a future occasion. I was invited, at the last moment, to speak in his place; consequently, being completely unprepared, the remarks I have to offer must necessarily be brief.

His Excellency first alludes, in feeling terms, to the great loss sustained by the British Empire and the civilized world, in the death of His Majesty King Edward VII. We recall, as if the event had occurred yesterday, the shock, the grief, nay, the consternation with which we learnt, one morning that our beloved king had breathed his last. From all points throughout the vast British Empire, and from all the civilized peoples throughout the world, arose a unanimous cry proclaiming the exalted virtues of His Majesty and the glory of the reign that had just ended. All were unanimous in proclaiming that the deceased monarch had won the unbounded affection, loyalty and admiration of his subjects. When the king ascended the throne of his ancestors, world wide wonder was felt as to how His Majesty could add lustre and splendour to a reign, coming immediately after a period so brilliant as that of the Victorian era. But the king had no sooner taken the scepter in his hand than he devoted his undivided energy and the admirable and uncomparable qualities of his magnificent diplomacy to preach and to teach contemporaneous peoples the practice of union, good will, concord and peace; and at the end of his too brief occupation of the Throne, he had won, in the fulfilment of this task, so verily worthy of a king and so essentially humanitarian, imperishable glory; he had secured for his name and for his work, immortality. At the time of his accession to the British Throne, those who had cherished and preached the doctrine of universal peace, held but a wavering faith and uncertain hopes in the success of the cause; encouraged, however, by his example and his success, they had, at the time of his death, regained faith, strong, robust and active, and the cause of universal peace had made great progress. From that time, the ultimate realization of what is no longer looked upon as a beautiful dream and an alluring Utopia, has been followed with greater confidence and stronger hope. I am a believer in its success, and in the fact that, sooner or later, sooner rather than later, this dream will become a real, active, and positive reality. Peace lover though I be, I am none the less convinced that it is absolutely necessary that any nation that wishes to maintain its place in the world and uphold its integrity and honour, must provide a comprehensive system of national defence; and by national defence, I mean the defence of the territory and of the flag, the protection of the national domain in the interior and on the coasts, the protection of its trade routes, as well as of the life and property of its citizens. I must therefore confess that I understand with difficulty, or rather not at all, the bitter and violent campaign pursued, in certain quarters, against the national defence policy of the present government. I have followed attentively and with all the intellectual faculties at my disposal, the different phases of the strife and opposition offered to the ministerial programme, and I have yet to discover what solid arguments form the basis of this opposition. I find it difficult to convince myself that those who so violently object to the government's policy, are ready to deny that a nation is bound in honour, as well as by interest to prepare, organize and maintain a system of national defence. On the other hand, those who now object to a naval service, have long ago admitted the necessity of a land service. We have had an organized land militia service for more than fifty years, and we have, by unanimous consent, constantly increased and improved this military organization. Would it not be expedient to inquire, from those who object to the naval service, what difference in principle there is between it and

the land militia service; why they countenance the latter and absolutely reject the former? If we were like certain European countries, completely surrounded by other nations, if we had not a seaboard on two oceans, if we had not vast waterways in the interior and across our territory, if we had not commercial routes on both oceans, if we did not own immense and rich fisheries, I might understand the objections of those who would like to restrict our national defence to a mere land military service. Attacks may not be by land only; our shores, our fisheries, our harbours are equally exposed to attack, I would even say more exposed than the interior of the country. We must not forget either that the Imperial government has, by degrees, handed over and entrusted to our care the maintenance and protection of our naval stations on both oceans, and has withdrawn the garrisons which, until recent years, it maintained in this country. We are therefore bound in duty and honour, to protect, on land and on sea, the integrity, prosperity and future of our national domain.

Once more, I venture to ask those who resist so violently the creation and maintenance of a naval service, on what principles, on what grounds they base their objection and opposition? Moreover, it does not seem possible to me that objection can seriously be taken to the obligation for all portions of the British Empire to assist the Imperial government, if need be, to maintain and preserve the integrity of the flag which safeguards our liberties, our rights, our lives and our property. I do not believe there is a single Canadian who would dare to pretend should the British flag be in danger, should the British Empire be seriously threatened, that the duty of Canada would not be to join the other parts of the empire, in ensuring the maintenance of the flag and of the empire to which we belong. I cannot conceive that there can be any doubt expressed as to the necessity for us to defend our domain, and, in case of common danger, contribute, according to our means and resources, to the safeguarding of the common cause, the common interest. In saying this, I have merely mentioned the material interest; but for every self-respecting citizen there is also the obligation which his sense of honour imposes. I hope, and moreover I believe that there does not exist in this country a single subject of the empire who ever forgets that, after all, we are members of the great imperial family; and that, if we claim and take advantage of the privileges offered to us by the imperial family, we also have the duty and the obligation imposed upon us by honour and by our title of members of that empire of contributing to the expenses and obligations of this national and imperial association; as in the case of every association which cannot be founded or exist except on the basis of mutual contribution, calculated on the means of its members, and proportioned on the benefits derived therefrom. I repeat it, if the obligation for Canada to create and maintain a naval national defence, is denied, the obligation to establish and maintain a land military service must also be denied; and this double negation would lead us to the logical conclusion that we have no more use for our militia, our ports, our naval stations, and that but one thing is left for us to do: demolish the latter and throw our ammunition and guns into the sea. I do not know if those who persist in the opinion that we are not under the obligation to establish and maintain a naval defence service, have ever looked into the question of what would happen if the British Empire were seriously in danger. If they have not looked into it, it seems to me that they have failed in the most important duty imposed upon them in examining, appreciating and discussing this grave matter. If, as I have just said a few moments ago, the existence of the British Empire were seriously menaced, if the supremacy of the empire should come to an end, has it ever been asked what the fate of the Dominion would be? Would there be a disposition to humbly beg from the American government, a place among the States of the American union? Would we be ready to accept the probably humiliating, if not disastrous, conditions and obligations, which would be imposed upon us in this role of mendicant? Moreover, in agreeing, under these circumstances, to form part of the Ameri-

can union, would we not be obliged to contribute in men and money, to the national defence, as every other part of the American republic. Or if, having more confidence in our destinies, more courage to face the future; if, destined to fulfil, on the American continent, the mission allotted to us by Providence, and to bear its burden and its consequences—we decided to proclaim the absolute independence of Canada, would we not still be, without question or discussion, compelled to admit the necessity of defending the territory of the new republic? Has the thought ever crossed our minds, that the proposed expenditure for the defence of the Dominion as an integral part of the empire, would be quite insufficient for the defence of an independent dominion. Has the question ever been asked; has it ever been stated, as it ought to have been done, that in such a case, we would be obliged to contribute twice, three times as much and even more to meet the requirements of any civilized people or nation. No matter how we look into the matter, whatever fate is reserved for Canada, for my part, the necessity, for the establishment and maintenance of a national defence imposes itself, and I cannot conceive how any doubt can be entertained for a moment in connection with the matter. But it is objected that the creation and maintenance of a naval service would inevitably involve Canada in participating in all imperial wars, wherever they may take place, whatever cause may have led to them, and whatever interest may be at stake. This is a consequence which does not logically follow the position taken by the government, and the system it has adopted. I have no hesitation in repeating that, for my part, there can be no doubt it would be the unquestionable duty of Canada to assist, by all means in its power, in the maintenance of the power and integrity of the empire, on every occasion when either might be endangered; but it is equally evident to me that the government, in placing the naval militia under the control of the Dominion executive, has not, by this fact, admitted that the Canadian navy was bound to take part in all the wars of the empire. To all those who are not blinded by vain words, by mere phantoms, or by dangers existing only in the imagination of those by whom they are evoked—it must be clear and evident that we do not intend to take upon our shoulders the obligation of participating in all the wars of the empire.

If I rightly understand, and there seems to me no doubt about it, the intention of the government is to organize the national defence so as to maintain peace inside and outside of the Dominion, to secure the protection of our national territory and property, and moreover, in case of danger for the whole empire, to contribute, within the limit of its resources, to the common defence and to the upholding of the Imperial flag. It may be supposed, without attaching any doubt as to the loyalty and devotedness of Canada to the empire that difficulties may arise in India, for instance, in Egypt, or other remote portions of the British Empire, in the suppression of which it would be neither just, opportune nor necessary for Canada to engage.

For my part, I repeat it, peace lover though I be, confident as I am of the ultimate success of universal peace, that, so long as the world's opinion is not sufficiently enlightened to put an end to huge armaments and to exaggerate militarism, it is the duty of the Canadian people, as of every other nation, to assume the protection of its territory and property. I cannot see how the vast and ever increasing autonomy which we enjoy and intend to hold, can suffer by the creation and maintenance of a naval service, or by the placing of our means of defence at the disposal of England when the interests of the empire to which we can never be indifferent, are menaced or seriously endangered.

I believe that, for reasons on which it is useless to insist, the nature of the naval service which the government has introduced in this country, has been falsely interpreted and grossly misrepresented. I am convinced that, when light is thrown upon the subject, when public opinion is quietened, and when the minds of the people are freed from the delusion and terrorism imposed upon them, public sentiment will reassert itself and from one end of the country to the other, the action of the government will be proclaimed as

just, wise, necessary and eminently patriotic. It must be remembered that, in connection with the naval service, history, as in many other instances, but repeats itself. All will recall that the land military service has been for a great many years, the object of serious opposition and pronounced antipathy from a certain number of people. However, to-day, nobody, not even those who are violently opposed to the naval service, entertains any opposition to the land military service. It will be sufficient to state the question clearly, frankly, to have light thrown upon the matter, and I am convinced that this will happen ere long. The naval service will be accepted, just as the land military service has been.

I have but a few minutes left to say a word on some of the other subjects mentioned in the address. A reciprocity treaty with the United States, if one can be concluded to the advantage of Canada, would be but the necessary complement of the ministerial programme. The present government has concluded a treaty of commerce with France which will certainly procure considerable advantages. It has also concluded, with Belgium, Italy and Holland, commercial agreements, which will no doubt contribute to the increase of our trade and to the prosperity of the country. The objections advanced in certain localities against negotiation of a reciprocity treaty with the United States, rather appear to be inspired by a feeling of wounded self-pride on the part of those who believed there was cause for humiliation for us in the fact that the government of the Republic had, up to the last few years, rejected our offers of negotiation. It would to my mind be a serions mistake to refuse to negotiate with our neighbours for the purpose of increasing our commercial relations with them. There exists to-day, in the United States, a pronounced feeling in favour of reciprocity; there is a desire for a reduction of the American tariff, and there is an evident wish for an extension of commercial relations with us. It must not be forgotten that, on this occasion, our neighbours took the initiative, and that it was they who first applied to us. It would be, to my mind, contrary to our national interests to refuse to enter into the proposed negotiations. We may feel assured that our government will not propose, and if it did, we shall always have liberty to reject, a fiscal agreement against the interests of the country.

For a great many years, the citizens of the western provinces, have been demanding the construction of the Hudson's Bay railway. I am not competent, nor have I the experience necessary to express an opinion on the real value and probable success which may be expected from this new transportation route. What we know is that, if the western provinces believe that this railway is necessary for their commerce and prosperity, if they insist on its construction, they should defray the cost of it themselves; for, as everybody knows, the railway is to be built by means of the sale of lands reserved for that purpose by the Dominion government, and these lands are all situated in the west. After consulting the latest report of the Department of the Interior, I notice that the product of the sale, up to date, amounts to nearly 22 millions, and if we add to this sum the interest accrued on the product of these sales, all belonging to the western provinces, it will be seen that the total sum required for the construction is already at hand, the estimated cost thereof having been estimated at 25 millions. We may therefore without hesitation express our complete approval of this undertaking of the government.

With reference to the treaty in connection with the international waterways between the United States and Canada, to the Act based on these negotiations and the resultant treaty, I would wish, if there is yet time, to propose to the government, to introduce into the treaty or into the Act, certain provisions with a view to putting an end to that crime against nature, on which I addressed the House in the course of last session—I mean the contamination and pollution of our great fluvial arteries, by the criminal deposit, practised at all times and still continuing to-day, of sewerage from all parts of the territory bordering on these waterways. It is high time that our great waterways, our lakes and streams cease to be used as sewers, generating and spreading the

contagious diseases from which we periodically suffer. I am convinced that if the commission, which has charge of the protection and safeguarding of the international waterways, was requested to take this matter in hand, a solution would be found equitable and salutary for the United States as well as for Canada.

There is another question not mentioned in the speech from the Throne, on which, if I am allowed, I would like to say a word. I would not dare raise the question, if it were not the subject of almost constant discussion in the press and elsewhere, and if, during each session, the discussion of this question were not imposed upon us in this House and elsewhere: I mean the question generally known as 'The reform of the Senate.' For a number of years this honourable House itself has been stirred by this persistent controversy, and has itself discussed at a certain length what was meant thereby and what would be the best thing to do in connection therewith. I have up to now been careful not to take part in the discussion, because as a new comer here I felt that I did not possess the required knowledge of parliamentary procedure as it applies more especially to the Senate. Moreover, I thought it was wise and prudent to allow the old and experienced members to express their opinions before expressing my own. I would request however, that I should to-day be permitted to offer my appreciation on this grave and important question so persistently discussed, so continuously raised, and to which some day, sooner or later, a solution must be found. I believe that to this House especially falls the duty of considering and discussing the question, and that it is in this House that the solution of the difficulty will be the more readily found. I hasten to state that, in my mind the words 'Reform of the Senate' are not exact. I do not believe that the Senate, as it is constituted to-day, needs reform; I believe, on the contrary, that the Senate as it is constituted to-day, contains a selection of men as qualified and as representative as it is possible to find for the working of parliamentary mechanism,

and if to-morrow if the present senators had to be replaced, I do not think it would be possible to make a selection of men more competent than those who occupy the senatorial seats to-day. It is not so much the Senate itself which it would be wise and prudent to alter, but the method or mode of selecting the senators. I have no hesitation in saying that, for my part, after having given the subject my best and constant attention, the Senate will never be what it ought to be; that it will never exercise the influence and authority it ought to exercise, so long as the senators are chosen as they are to-day. Direct election by the people is the principle which ought to be substituted for the present method. With institutions as essentially democratic as ours, a Senate chosen by the executive and appointed for life, seems to me an anachronism. I do not pretend to submit to-day or even later a detailed plan of the manner in which these elections could or should be made; I simply desire to be permitted to-day to express my personal opinion, that the solution of the difficulty is to be found in a mode of direct election by the people; and I would wish that—following the example of the House of Lords, which, at this moment, has taken in its own hands the task of conforming to public opinion in England—our Senate would deal with and decide for itself the question which it has been agreed to call the reform of the Senate.

In concluding, I regret having tried your patience, hon. gentlemen, especially after my promise, at the start, of being brief in my remarks, and I join with His Excellency the Governor General in asking and in praying for the blessings of Providence on our labours and on our country, that it may continue to progress and prosper. I have much pleasure in seconding the motion of my hon. friend representing the division of Halifax, that a humble address be presented to His Excellency the Governor General, praying His Excellency to accept our thanks for the speech he has been kind enough to address to us at the opening of the present session.

Hon. Mr. LOUGHEED moved that the debate be adjourned until to-morrow.

The motion was agreed to.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

WEDNESDAY, November 23, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

COMMITTEE OF SELECTION.

MOTION.

Hon. Mr. LANDRY—I would ask the hon. leader of the House if he could now make the motion for the appointment of the committee of selection. I do not see any irregularity in adopting such a course. It is done in the House of Commons. Sir Wilfrid Laurier moved for the appointment of the committees before the address was taken up.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend is right enough, that as a matter of practice it has been very frequently done—is usually done, I think, in the Commons. It is a matter for the convenience of the House. I have no objection in the world to make the motion and it will perhaps facilitate business. I presume my hon. friend does not desire to proceed with his other motions?

Hon. Mr. LANDRY—No.

Rt. Hon. Sir RICHARD CARTWRIGHT —Moved.

That pursuant to rule 77, a committee of selection be appointed to nominate senators to serve on the several standing committees during the present session, and to report with all convenient speed the names of the senators so nominated, the said committee to consist of the following senators: the Hon. Sir Mackenzie Bowell, the Hon. Messieurs Gibson, Lougheed, Beique, Miller, Power, Watson, Casgrain and Ross (Moosejaw).

Hon. Mr. POWER—The Hon. Senator Bostock is not here and will not be here for some little time, and I think the hon. member had better suggest another name.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will substitute the name of the Hon. Mr. Ross (Moosejaw).

Hon. Mr. CLORAN—I would suggest the name of Senator Davis.

Hon. Mr. LANDRY—I suppose the names suggested are the same as last year?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. LANDRY—Before the motion is carried, I would renew my suggestion in the name of our province and of the Dominion in general, that we should select a senator from each province to serve on that committee. There are nine provinces and nine names. I made that suggestion last year.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think it is not unreasonable that the provinces of Ontario and Quebec should have two members. That has been the custom for a very considerable number of years, if I am not misinformed.

Hon. Mr. LANDRY—I do not wish to object to the motion. I only want to draw the attention of the leader of this House to the fact, so that next year it might be remedied.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will call my hon. friend's attention to the fact that in those two provinces there are 48 members, which is more than half of the whole number of senators.

Hon. Mr. LANDRY—I saw an illustration of that principle last year, or two years ago, when there were three members from Nova Scotia and not one member from New Brunswick.

The motion was agreed to.

THE ADDRESS.

DEBATE RESUMED.

The order of the day being called:

Further consideration of His Excellency the Governor General's speech on the occasion of the opening of the Third Session of the Eleventh Parliament, and of the motion of the Hon. Mr. Roche, seconded by the Hon. Mr. Belcourt, that an humble Address be presented to His Excellency the Governor General in answer thereto.

Hon. Mr. LOUGHEED—It may seem somewhat strange that it invariably falls to the lot of the particular chair which I happen to occupy to be the first to congratulate hon. gentlemen on the opposite side of the House to whom is delegated the duty of moving and seconding the address and to speak in terms of courtesy, of compliment and of congratulation of the manner in which they discharge their difficult duty. It gives me very great pleasure to express my sense of appreciation of the manner in which my hon. friend from Halifax moved, and my hon. friend from Ottawa seconded the address. It is entirely unnecessary for me to speak in complimentary terms of those hon. gentlemen for the purpose in any way of encouraging them in the performance of their duty in this Chamber, because they are both veterans in political life and seasoned speakers, both on the platform and on the floor of parliament. I regret to some extent that the original programme as outlined, and as appears upon the address, was not carried out, so that I could extend my congratulations to my hon. friend from Kennebec who has been recently introduced into this House, and who has come out from the storm and stress of weather that seems to be blowing up within the political boundaries of Drummond and Arthabaska. I have to congratulate that hon. gentleman upon his reaching this Chamber at what I might call the psychological moment. That hon. gentleman seems to have had a measure of foresight with which the government itself has not been blessed, and I congratulate him that he so exercised his foresight as to escape from the wrath to come. Had the government displayed the same foresight which my hon. friend from Kennebec has exercised it is needless to say my hon. friend would not be in this Chamber at the present moment, but would doubtless be like many of his compatriots from the province of Quebec, wondering what a day may bring forth, calling upon the mountains and the hills to fall upon them and to hide them from the indignation of the electorate of the province. If the government could have rolled back the scroll and foreseen what did happen in my hon. friend's native county, we should not have had the opportunity of discussing a very interesting recent political event in that province.

I was particularly struck with what my hon. friend from Halifax said yesterday as to the undesirability of fire brands promoting racial and religious differences in Canada, and by the remarks of my hon. friend from Ottawa touching the same question, when in a rather more diplomatic way, he expressed regret that many of the people of Canada did not thoroughly understand the various important principles involved in the Naval Bill of last session.

I must say that while I have been more or less in touch with political life for some years past, more than necessary attention has been given to what seems to be a very large stock in trade of many of the political leaders of the province of Quebec. I am surprised at my friends of the Liberal party manifesting such hysteria, at the alleged disloyalty of their compatriots within that province. Ever since I can recollect political events in Canada, my attention has been more or less directed to the fact that this kind of thing is to a very large extent indulged in in that province at every by or general election, and while I am not prepared to say that the party to which I belong has absolutely kept its skirts clear of all charges which might be made along these particular lines of racial agitation yet I have no hesitation whatever in saying, that the greatest sinners of all have been my hon. friends opposite.

No party within this Dominion has profited more by promoting agitation of this character than the Liberal party. It is within the recollection of every honourable gentleman present that prominence has almost always been given to this particular class of political warfare in the province of Quebec. The chief sinner of all has been the Prime Minister himself. I

ask hon. gentlemen, even those who may differ from me, as to the cause to which they ascribe that the present Prime Minister of Canada leads his political party in his present capacity, is it not by reason of his commanding practically a solid majority from his native province, a majority that exceeds his majority in parliament, a majority which he has cultivated from almost his advent into political life down to the present time by promoting the nationalist cry in season and out of season? The Prime Minister would not occupy the position he fills to-day if he had not cultivated to a very large extent that spirit which is so strongly objected to by the hon. gentleman from Halifax (Hon. Mr. Roche) and Ottawa (Hon. Mr. Belcourt). Why it was the same leader who in the rebellion of 1885 in his place in the House of Commons, while the militia of Canada was fighting the battles of the Dominion on the plains of the Northwest, said, that had he been on the banks of the Saskatchewan with the half-breeds he would have shouldered his musket and fought beside them, notwithstanding the fact that two or three brave regiments from his own province were engaged in suppressing that rebellion. Was it not the same hon. gentleman, who previous to the South African war, made the boast among his countrymen that 'not a man, not a dollar' would be sent from Canada to help the imperial troops at the time of national stress and trouble. Yet we find hon. gentlemen opposite accusing those of their own party who may have sympathized with the National cry in Quebec in connection with the late election, of being disloyal to British institutions. I notice in the press and took the opportunity of clipping from some Quebec newspapers the campaign cry of the Liberal party themselves in that particular battle. I quote from the Montreal 'Witness' which is a government organ——

Rt. Hon. Sir RICHARD CARTWRIGHT —Oh, hardly.

Hon. Mr. LOUGHEED—which has always been in sympathy with the Liberal party and fought their battles in season and out of season, notwithstanding the high moral attitude that paper takes on other questions. Mr. Perrault, the government candidate in Drummond and Arthabaska, the gentleman who was the mouthpiece of the government and seeking the suffrages of the people of the constituency said:

> Our fleet is not, and never will be, imperialistic; it is a step towards the independence of Canada.

Again another candidate, a member of the provincial House at Quebec declared that: 'It was a step towards the independence of Canada,' for only a nation could have its own navy:

Now, I ask myself the question as to where this charge of disloyalty belongs. I ask, is it more disloyal for the Nationalist party of the province of Quebec, represented by Mr. Bourassa and his friends, to have strongly taken the position that the Naval Bill should have been submitted to the vote of the people of Canada, that the present autonomy of the provinces of Canada should be maintained in its integrity as against the imperialistic movement which seems to be paramount at the present time, than for the friends of the government to represent to the people of Quebec that the government, by establishing a navy, has taken the first step to sever the ties which bind this Dominion to the mother country. In this country of free thought and free speech the charge of disloyalty should not lie against those who maintain that the present autonomy should be continued in its integrity any more than it could be said that the Little Englander is disloyal to the empire to which he belongs. There was a time when Bright, Cobden and Gladstone strongly advocated the severance of the colonies from the empire, and particularly the Dominion of Canada. It was well known, and will be found in the memoirs of the late Goldwin Smith, that at the time of the civil war in the United States, Bright and Gladstone suggested that for the purpose of propitiating United States sentiment and bringing it into harmony with that of Great Britain, Canada should be severed from the empire and handed over to the American republic. Would it be thought that Bright and Gladstone were necessarily disloyal, or that as British citizens they were less entitled to the respect and confidence of that

school of their countrymen to which they belonged? Would it be less disloyal for those men to take that position with reference to the severance of the empire than for Mr. Bourassa and his friends in the province of Quebec to say, 'We are satisfied with the present status, we insist upon that status being continued, and we are opposed to the movement of imperialism?' Personally I do not see eye to eye with them. I differ entirely from them in the views which I entertain. I think they overlook entirely the fixed laws of growth, the changing conditions surrounding us, the great economic changes which are taking place and must necessarily take place. I think it is impossible for Canada or the empire to maintain for all time to come the status which we at present enjoy. Those great economic laws which we find operating with respect to all nations must operate with respect to Canada and we must keep up in the march of the empires in progress. We indulge too much in Canada in this cry of disloyalty against particular sections of the community. There is nothing which Canada needs so much to-day as a national spirit, as a homogeneity made up of the union of all classes and conditions of people within our Dominion. So long as the political leaders of either party, or of both parties, insist upon promoting their political ends by raising the cry of disloyalty against any particular section of the community, so long will Canada be a heterogeneous people and destitute of that natural spirit which should characterize us as a people.

As an outcome of that particular election I venture to say that if the Naval Bill were submitted to any English-speaking constituency upon its merits and upon its merits alone, without being complicated by influences which would be brought to bear upon it by either or both political parties, I doubt not that on the main question such a constituency would pronounce on that Bill precisely as did the electors of Drummond and Arthabaska.

An hon. MEMBER—For the same reason?

Hon. Mr. LOUGHEED—No, for different reasons. I am dealing with it substantially, and I say in my judgment the result would be the same as was the result in that particular constituency.

I observe, hon. gentlemen, that reference has been made in the address to the question of reciprocity. By way of introduction, expression is given to the necessity of Canada extending its trade relations with other countries and of enlarging its markets, of expanding its trade and building up its commercial life. Intimation is made that commercial treaties have been made during the recess with Italy, Belgium, and the Netherlands. We find the government approaching the thin ice and skating around the main question very delicately, and finally arriving at the proposition that we are to meet our old and elusive friend reciprocity at an early date I was under the impression, that the Liberal party some years ago had stricken reciprocity off its trade list. I was under the impression both from the press and from Liberal speakers on the platform, as well as on the floor of parliament, that reciprocity was only a memory and that under no consideration would the government of Canada be tempted to again enter into negotiations for a reciprocity treaty between Canada and the United States. But I find, not only according to the address, but according to the declaration which has been issued officially by the reciprocity commission composed of this government and representatives of the United States that the way has been cleared; the pioneer work has been done and in the near future the pilgrimages to Washington will be resumed. What is agitating the people of Canada at the present moment is the larger question of what is to be the fiscal policy of the Dominion of Canada. The present government of late years has manifested so many vagaries in the way of entering into experiments with commercial treaties that the question of what our fiscal policy in the future is to be is one of the most important questions that confronts us. Is Canada to have sufficient protection to build up its industrial life, to develop its natural resources and to take its place amongst the industrial nations of the world? Or are we to proceed as we seem to be doing to experiment with every trade nostrum that may be found in the fiscal pharma-

copœia, in anticipation of some compound, or some composite trade theory being found to meet the divergences and the irreconcilable views of the Liberal party.

I should like to ask my hon. friend opposite are we to pare down the present tariff until we reach a revenue tariff basis, as was our experience previous to 1878, or are we to prepare the way by further paring it down so that the Prime Minister may be able to redeem the promises he made to the people of Canada previous to the elections of 1896, namely to introduce into Canada free trade as it then was and as it is in England, or are we to further experiment with it so that the Prime Minister may be able to redeem the promises which he made to the farmers of the Northwest upon his recent pilgrimage to that country, when he apologized for the existence of the present tariff as simply an expedient to answer the purposes of the time being and with which he was not at all in sympathy, but which he hoped in course of time would give way to the free trade system as they have it in England, and as advocated by the Manchester school of which he was a disciple. The Prime Minister informed the people of the west that he was thoroughly in sympathy with that particular school, with Cobden, Bright and Gladstone, and that he hoped the time would shortly arrive when there would be a supersession of our present fiscal system, by that which to-day obtains in Great Britain. May I ask hon. gentlemen what about the preferential tariff in view of those other experiments? Is this system, which has been extolled by the government from the time of its introduction down to the present moment, to be shipwrecked by the many side winds and the shoals towards which the government seems to be drifting, with a view of wrecking it. This is the idol of the Liberal party upon which they stumbled in 1898, when it was the intention of the government to extend the preference to all countries having a lower tarif than our own, but by reason of constitutional difficulties found it necessary to extend to England exclusively the preferential tariff which to-day she enjoys. Why did not the representatives of this government at that time insist upon that preferential tariff being a mutual one? I venture to say that if the government of Canada in 1898 had taken strong ground upon this question mutual preference would have to-day existed between the Dominion of Canada and Great Britain ; but there was a sinister design I venture to say in the government adopting the policy which it did, in saying that Canada did not want anything in return, that it was opposed to mutual preference. If mutual preference had been established at that time, if reciprocal trade relations had been established between Great Britain and Canada, the government would not have had the free hand that it has since enjoyed to tinker with the tariff and to try all the fiscal, expedients in which they have been indulging. Honourable gentlemen who are listening to me know that no capitalists, no manufacturer, can count with certainty as to what the trade policy of Canada will be 24 hours ahead of the time when he may be called upon to make his investment or commit himself to the obligations always incident to establishing industrial undertakings. I am not taking this position out of solicitude in the slightest degree for the manufacturer, because to a very large extent I am not in sympathy with that great majority of the manufacturers to-day who adopt an interested political attitude for the purpose of promoting ends which they have in view. The manufacturer of to-day makes his pilgrimage to Ottawa. He represents to the government what he in particular wants. He contributes to their election funds, he exercises his influence in their behalf though he knows that the government are not in sympathy with him. He hears the Prime Minister and his other ministers make free trade speeches in rural constituencies and high protective speeches in industrial centres. He reads long preachments upon free trade in the Liberal press, and he knows of certain political editors who go to Washington for the purpose of coquetting with the Washington government to bring about the very changes in our commercial relations which are involved in this discussion. With an unctuous self abnegation he is always prepared to assure the government that he

is entirely in sympathy with them, that he understands the difficulties which confront them, that his particular views upon the tariff must not necessarily prevail if they embarrass the government. so long as the schedule in which his industry is represented is maintained in its entirety. This class of manufacturer is always prepared to give credit to the Conservative party for laying broad and deep the national policy and building up the industrial life of this country. He is prepared to rely on the genius of that party to adhere to the principles which they have consistently maintained since 1878 and he believes that, no matter what may happen in the political world, he can rely upon the Conservative party showing a fidelity to those principles which they have ever represented since 1878, notwithstanding at the same time he supports the government that seeks to undermine his industry. I fancy that hon. gentlemen opposite who may possibly disagree with me in the short review I have made of the subject will agree with me to this extent, that it is in the interests of Canada, and also in the interest of both political parties, that we should have a fixed, or reasonably fixed, fiscal system assured, and a continuous system that would lead to the investment of capital and to the building up of our industrial life. There should be a fixed policy. We are only on the eve, so to speak, of Canada's possibilities. Canada is just emerging from her immature youth. She is emerging into a condition of virility, of strength and of development, she must soon take her place amongst the industrial nations. Hundreds of thousands of people from abroad are seeking her shores and making Canada their homes. Capital from the United States and from Europe is being invested in the many millions within this Dominion, not only in developing our natural resources but in building up our manufactures, and in otherwise contributing to establish this country upon a stable basis. We must be fair, by our fiscal system, to the capital which is thus being enlisted, to the obligations which are thus being contracted. But if we are to experiment from year to year with the different fiscal nostrums which are being propounded, then I venture to say that in the near future we will find an interruption to this measure of prosperity which we have been fortunate enough to enjoy for so many years. The progress which Canada is making along industrial lines is more or less due to the fairly continuous fixed fiscal policy which we have had. Since 1878 both political parties, in their legislation have been committed to the maintenance of a productive tariff within the Dominion of Canada, sufficiently adequate to assist in the building up of our industries and in the development of our natural resources, and yet since 1878 there has scarcely been a period when my hon. friends opposite have not sought to supersede that tariff which has manifestly been productive of so many advantages to this Dominion. It is unnecessary for me to point out that after the promulgation of that tariff and of our laying deep and wide the foundations of our industrial life, the Liberal party, not believing in the doctrines embodied in that policy, had recourse to their friends in the United States with a view of establishing commercial relations which would supersede that policy. For many years they laboured with the doctrine of continental free trade, of commercial union, of unrestricted reciprocity, and down to their accession to office in 1896 they were uncompromisingly committed to the establishment of free trade as it was in England, yet upon their accession to office in 1896 the very first act of this government was to enter into an alliance, offensive and defensive, holy and unholy with the manufacturers of the Dominion, and to maintain, with the little experimentation which has been indulged in from that time to the present, the policy which was established by the Conservative government in 1878. I have always admired the ingenuity of the Liberal party in thus allying themselves with the manufacturers and receiving their influence, their support and their good money for election purposes, and yet at the same time carrying on, apparently successfully, a propaganda throughout the Dominion which led the rural part of this Dominion to believe that they were thoroughly in sympathy with free trade and that the millennium would arrive when this noxious tariff, productive of all

the evils which my hon. friend the leader of the House used to so graphically describe would be destroyed root and branch. But yet the manufacturers apparently have been content to be tied to the chariot wheels of the Liberal party, notwithstanding the many departures which that party have made with a view of superseding the very tariff upon which the manufacturers themselves absolutely rely.

I say, without any hesitation, hon. gentlemen, that in my judgment, Canada should remain fiscally independent. We are entering upon great economic changes. We are just beginning to realize our strength, our possibilities and the immense advantages which we enjoy, not only as an agricultural country, but as a manufacturing country, and in view of the fiscal upheaval which at the present time is going on in the United States and which will probably result at an early day in a very substantial reduction in the American tariff, by reason of the Democratic party being the stronger party in Congress. Canada should not bind herself and should not tie herself up to any commercial treaty with our neighbours to the south, until this development takes place that will determine which political party in the United States will be in the ascendency for some years to come. The Democratic party is strongly in the majority in the House of Representatives, and therefore it will be in the ascendency in the Senate of the United States before or shortly after the next Presidential election. They are committed to a reduction of the tariff. Mr. Foss, the leader in the New England States on reciprocity, has strongly taken that position, and contends that before the United States should approach Canada with a view to entering into a reciprocity treaty the tariff walls of the United States should be taken down until they approximate the height of the Canadian tariff wall. But what does this government propose to do in view of these impending changes which are sure to come? Our government proposes to enter into a reciprocity treaty with our neighbours to the south under the very unequal conditions which at present confront us. In round figures they have a tariff wall which represents 48 to Canada's 24. I ask is it statesmanlike, in view of these unequal conditions, to seriously propose to commit this country to a treaty of a binding character extending over a term of years, and particularly in view of the impending political upheaval, which is bound to come within the United States in the next two or three years? We have recently entered into commercial treaties with France, Germany and the United States and from close observation of the results of these treaties I am not convinced that they have been of any advantage to Canada, but quite the contrary. What are the results of the treaty which we entered into with France? Our exports to France fell off last year over five hundred thousand dollars, and our volume of trade with that country is not very great. Our imports from France increased by $1,500,000. Is it any advantage to our country to enter into a treaty of that nature by which we throw open our markets to the people of France while their markets are practically closed to us, so that our trade has fallen off five hundred thousand while their trade with us has increased a million and a half?

We have entered into a treaty with Germany, with what object in view? That Germany might do business with us, or that a market might be open in Germany for our products? What has been the result? The result has been that our imports from Germany the last year have exceeded our exports by one hundred per cent. They have sent into our market two dollars of merchandise for every one that we have sent into their market. Is there any advantage in entering into treaties of this nature? The United States propose to enter into a commercial treaty with this country. We find their imports into Canada exceed our exports by one hundred and ten per cent. Does any hon. gentleman in this Chamber think that the United States will deliberately enter into reciprocal relations with Canada by which that balance of trade will be reduced? I say not. In my judgment our home market is being neglected. We are looking to foreign shores to open up markets for Canada, and what do we find

going on within our own borders? If hon. gentlemen will just follow me in this they will probably see its application. In 1896 we exported to the United States in farm produce alone seven and a half million dollars. We imported from the United States in farm produce eight million and three-quarter dollars, the balance of trade being against us by about $1,350,000. Fourteen years after, what do we find to be the condition of affairs? With the vast development of the Northwest, with the millions of acres which we have broken up, with our immense farm products you would think that this volume of products would have increased, but in the last fiscal year we exported to the United States only $6,000,000 of farm products. Since 1896 our farm exports have fallen off $1,500,000. How much of farm products have we imported from the United States during the last fiscal year? Eighteen and a half million dollars as against exports to that country in farm products alone of six millions, the balance of trade being against us in the vicinity of $12,000,000, and yet what do we propose doing. We propose taking down our tariff walls and intensifying this condition of affairs which at present is going on, and which at present must necessarily be injurious to the development of our industrial life. Owing to the growth of the United States, its combines, its trusts and colossal manufacturing combinations, they have practically exhausted their raw material. They have exhausted much of the resources with which they built up their industrial supremacy and which gave them an advantage almost over the world. We find an upheaval in their political circles owing to the vast divergence which has taken place on fiscal policy. In the last presidential election Mr. Taft was uncompromisingly committed to a reduction of the tariff, but owing to political exigencies of the Republican party he was unable to redeem the promise which he made to the people of the United States. Notwithstanding his protestations in the meantime that there was a substantial reduction in the tariff, this has resulted in the disintegration of his own party and the ascendency of the Democratic party. It has resulted in the manufacturers of the United States becoming alarmed and, casting their eyes abroad to find where they might negotiate reciprocity treaties with a view of securing raw material to keep their manufacturing industries in operation. They looked across the line, across the 49th parallel, and found a Naboth's vineyard. They found here every natural resource calculated to make a nation great, calculated to give Canada supremacy in the industrial markets of the world, and they propose, forsooth, to enter into reciprocal relations with the Dominion of Canada in order that they may secure our raw material and that we in turn may take their finished products. I ask hon. gentlemen if we are to sit idly by and build bridges by which their manufacturers may come to Canada, by which our east to west trade routes may be changed to north and south so that the manufacturers of the United States may make of Canada a slaughter market, and Canadians hewers of wood and drawers of water.

Are we to submit to this? Yes, this manifestly is the object which the people of the United States have in view. I say it is against the best interests of this country and our duty is that we should disparage negotiations for any such treaty with our neighbours to the south. There is a duty devolving upon Canada and that is to develop its own resources. We are extending an invitation to the people of the four continents to come to our shores and assist us in developing our great national resources and building up on this northern half of the American continent a nation as great in its industrial achievements as the United States. It is for us to dig and delve as the people of the United States did a century ago, and thus build up on our own side of the boundary a nation equal to theirs in importance and magnitude. I was very much pleased to observe from the press a few days ago that many of the friends of the government, many of the leaders of the Liberal party, have not been slow to express themselves in very incisive language as to the undesirability of our government entering into any such treaty with the people of the United States, and I am particularly pleased to find my hon. friend from Middlesex (Sir

George Ross) delivering an address before the Toronto Board of Trade upon this particular subject. Had I not seen his name, and his photograph attached to the report, I certainly should have thought it was an expression from one of the champions of the National Policy who flourished in the days of Sir John Macdonald. Then I saw an interview with the hon. gentleman from Toronto who represented that great industry of which Canada may be proud, the Massey-Harris Company, in which he predicted that if such relations were established between the United States and Canada as are now being sought by the American government, it would result in our manufacturers going to the other side of the line, instead of building up their branches and their manufactures within our own boundaries. I do not know that it is politic on my part to speak so strongly against this treaty. Perhaps I should simply wait its development because I fancy, in the course of time, the honourable gentlemen on the opposite side who take such very strong grounds against the passage of this treaty with the United States will decide to sacrifice fidelity to party for principle and find themselves on this side of the House. It seems to me that before entering into negotiations with the United States with the view of concluding a treaty of this nature the government should have sought a mandate from the people. It was considered sufficiently important years ago for the Conservative administration to first appeal to the people before they discussed reciprocity with the government of the United States. I have found no voice of public opinion demanding such a treaty. I have been wondering and have not been able to satisfactorily conclude in my own mind, nor have I seen any one who has been able to satisfactorily determine why the United States has been approached with the view of entering into this treaty. The only way I can account for it is that the Prime Minister upon his recent visit to the Northwest had such representations made to him as to the necessity for a reduction in our tariff that to accomplish this particular purpose he seeks to achieve it by negotiating a reciprocity treaty. We are in the hands of the government. The responsibility is upon them and in my judgment the interest of Canada will not be best served by the negotiation of any such treaty.

Reference has also been made in the address to the settlement of the Newfoundland difficulty and the Atlantic fisheries. I have no intention to spend any length of time in dealing with the subject, except to say that it has been a matter of great satisfaction that these grievances, which have been agitating both countries for so many years and contributing to some friction in the promotion of good relations, has at last been settled by The Hague Tribunal. It has been unique in this regard that both sides have been pre-eminently satisfied with the verdict. In fact, Canada vies with the United States and the United States vies with Canada as to which party got the better of the award. It was a novel thing to notice that the people of Gloucester, who are probably more interested than any other part of the United States, cabled the American representative at The Hague expressing their very great appreciation of the satisfactory settlement which had been secured. We find Mr. Root shaking hands with himself and with the whole of the American people at the advantage which he secured over Canada and Newfoundland. We find the American press expressing itself in the most felicitous language at the way the differences have been settled. On the other hand, we find Canada, Newfoundland and Great Britain almost lost to find appropriate language to express their appreciation of the way in which The Hague Tribunal settled the difficulty with so great advantage to Canada and Newfoundland. It seems to me that The Hague Tribunal are to be congratulated on adjusting this matter with such very great satisfaction to both parties. It is very rare, indeed, that a court or a board of arbitration succeeds in satisfying both parties in the adjustment of a dispute. The one or the other is usually disappointed. I think it is due to the representatives of Canada, who so ably represented our country on that arbitration sitting, that this government should express its appreciation of the eminent service which they rendered. Entirely apart from the minor matters settled by the arbitration, it is certainly a

very great advantage to Canada that the three-mile limit dispute has been settled. In our larger territorial waters it represents a matter of very great advantage to Canada. The finding of The Hague Tribunal that the three-mile limit should not follow the indentations of the coast, but should be measured from headland to headland, is especially satisfactory in view of the fact that Canada is about to open up a very large business on Hudson bay. This finding will be a matter of the very greatest possible service to our own country.

I observe also that we are promised a Copyright Bill during the present session of parliament. That is a matter which has been held in suspense for many years, on account of Great Britain asserting its right to deal with copyright as against the self-governing colonies. I hope the government in framing this Act will make it sufficiently protective of our interests and that the government of the United States will not be able to assert, as against Canada, the same jug-handled reciprocity which they assert as against the people of England. About fifteen years ago a copyright agreement was entered into between Great Britain and the United States by which the people of Great Britain fancied their relations along this line would be of a satisfactory character. The United States government imposed upon the people of Great Britain the printing and publishing in their own country, that is in the United States, of all the literature for which copyright was taken in the United States and in return the government of Great Britain gave to the United States copyright within Great Britain leaving them to do their printing and publishing within their own country. A year ago that was intensified by the United States amending their Act requiring that the binding of the book should be done within the United States. So that to-day the only advantage of an English writer under the Copyright Act is that he can get a copyright in the United States, but he has to do his printing, his publishing and his binding within that country, whereas an American can go to Great Britain, get his copyright, and do in his own country all the work to which I have alluded. If this government brings down a Copyright Bill at the present session of parliament, so far as our attitude toward the United States is concerned it should be on mutually reciprocal terms—not otherwise. No advantage should be given that country over any advantage which they grant to ourselves. There should be no jug-handled reciprocity about such an Act, but it should be reciprocal and mutual in every respect. We shall, therefore, await with some degree of curiosity to see how far this government is prepared to protect copyright within the Dominion of Canada.

There are many other subjects dealt with in the address but I have no intention to trench upon the time any further, except to say that I hope that my hon. friend, during the present session, in view of the early measures I see foreshadowed in the address, will not hesitate to see that this Senate gets its fair share in the initiation of the many public measures which will be dealt with by parliament, so that due recognition will be given to this branch of parliament and that in spirit as well as in reality it may be a co-ordinate branch of parliament. (Cheers).

Rt. Hon. Sir RICHARD CARTWRIGHT —In one point, at any rate, I can cordially agree with my hon. friend opposite, and that is in the tributes he paid to my valued friends who moved and seconded the address. As he truly said, they were by no means novices in the political arena, and I think we will all agree with him in saying that they showed themselves worthy of the high reputation they had respectively attained before they entered this Chamber. In other respects I am disposed to sympathize with my hon. friend. I have no doubt whatever he felt at a very serious disadvantage in undertaking to review the present position of this country. Whatever else he has done, I think that even he will admit that despite the tariff tinkering and tariff experimenting of which he complains, and of which I shall have something to say later on, the progress of Canada during the fourteen years the Liberal administration has been charged with the conduct of affairs has been such as to excite not merely the admiration, but

the astonishment of the whole civilized world. I remember better, perhaps, than my hon. friend can do the position in which Canada found herself in the period from 1878 to 1896. However great her natural resources may have been, they had been so used or abused, whichever way my hon. friend chooses to state it, that Canada was hardly recognized at all except as a country which might possibly, under a better government, do something some day. If the hon. gentleman wishes a comparison I say that from 1878 to 1896 Canada was in a position of downright stagnation. The people were fleeing from her shores by tens of thousands, by hundreds of thousands, by the million. The trade of Canada in those 18 years made no progress whatever. We had simply gained a single million a year during the whole of that period. What has been the result of our tariff tinkering and experimenting within the fourteen years that we have administered the government of Canada? The general volume of our trade and commerce has increased from something like two hundred and forty million to, this current year, about eight hundred million dollars, more than threefold within these fourteen years. Not only did the trade and commerce of Canada increase, but the revenue increased to something like treble the amount in 1910 that it was in 1896. And what I value ten times more than the increase of our commerce and the increase of our revenue, the population of Canada, which, as I said, had been rather decreasing than increasing, for a great many of these years has been increasing rapidly. When the next census is taken the population of Canada will show an increase of three hundred per cent over the aforesaid decade. I appreciate fully the difficulty that my hon. friend has been in. He has been pleased to charge us with certain inconsistencies. Experiments may have been made in former times which may not have been consistent with the convictions men have arrived at to-day, but I think, on my hon. friend's side of the House, there will be found to be a very great deal more difficulty in reconciling the views expressed by his supporters, at any rate in the other Chamber, with those to which he has given utterance to-day. I have not observed that he expressed any very definite opinion for his own party as to the wisdom or unwisdom of making any reduction in our tariff. There may be reasons for that. Coming from the section of the country that my hon. friend does, he may not choose to put himself in direct opposition to the wishes of a very considerable number of his countrymen there. He has devoted a great deal of attention to the question of reciprocity, and found fault with the conduct of the government in that respect. I desire to say that he is mistaken. He is gravely in error if he alleges that the government of Canada, since 1896, have ever declared that they were averse to a reasonable measure of reciprocity with the United States. What the Prime Minister of this Dominion did say, after the result of his mission to Washington in connection with the Joint High Commission, was that he, for his part, was not going to approach the United States again until he was thoroughly satisfied they were in a more wholesome frame of mind than they had been before to receive approaches from our side. Now, hon. gentlemen, this is a question of first rate importance, and I desire to say that to my own knowledge and as a matter of historical fact, there has been within the last two years a very great and wholesome change in the attitude of the United States government, and I believe of the United States people, towards Canada, and I think also towards the British Empire. There is no doubt whatever that at one time—not always—the people of the United States, and probably the politicians in the United States, who might have known better, were under the impression that Canada could not possibly become prosperous unless it was allowed free access to their markets.

I remember during the period that the negotiations were carried on at Washington having occasion to point to the hon. gentlemen on the other side of the high commission that they were making a great mistake if they supposed Canada would come to them hat in hand. I pointed out to them what is a well known clear fact, and a fact to-day as well as then—that of all their customers Canada was the one which bought most from them per head, and that she ought to receive from

them a most liberal treatment, and I took occasion to tell them that in a very few years they would find that if they chose to reject the propositions then advanced, not only was Canada able to do without them, but Canada would prosper in a fashion that would very considerably astonish them. I have lived to see my word proven to the very letter. The great progress of Canada during the last ten years will, I think compare, most favourably with the progress of the United States in every important respect and I have no doubt whatever that that fact, a very necessary fact to impress upon the minds of United States politicians, has been at the bottom of the change of sentiment which they have expressed within the last few years, perhaps within the last few months. I desire to say that nothing could have been more courteous or more considerate than the conduct of the President of the United States in respect of all these negotiations with Canada. It was almost an unexampled thing to find the President of that great republic coming of his own free will more than halfway from Washington to meet our Finance Minister, on a recent occasion, and discussing the question whether Canada was or was not to be brought within the clause of the United States tariff which would have exposed our imports into the United States to a very severe penalty. More than that, I say that the conduct of the United States government in sending their commissioners here to discuss freely and amicably with our representatives the best way in which freer reciprocal relations could be brought about between Canada and the United States was eminently considerate on their part and deserved, in my judgment, to be met in a spirit corresponding to that which they had evinced. There are more considerations in this matter than mere pounds, shillings and pence. I have always been an advocate, as hon. gentlemen probably know, of Canada making herself valuable to the empire by promoting, as far as in her power lies, friendly relations between ourselves and the people of the United States. Some gentlemen may have other views on that point, but my own opinion is that no one thing can be done by Canada or by Canadian politicians which will be of one-half or one-quarter or one-hundredth part as great service to the British Empire as promoting in every shape and way equitable and friendly relations between the two Anglo-Saxon powers, and I will go further and say that if there is one thing more than another which would be calculated to bring about something like a condition of general disarmament, it would be a favourable alliance between those two great nations. That, however, is a matter of detail. My hon. friend may compose himself and may feel perfectly certain that the government have no intention whatever of sacrificing Canadian interests, and that we will obtain a reasonable quid pro quo for anything we may grant to the United States. As to the particular mode in which that may be brought about, I have nothing to say at the present moment. There are more ways than one in which that desirable result can be attained, but I will say that while there may be some portions of Canada in which, at the present moment, the question of freer trade relations with the United States is not a very live or burning question, I will say that as a whole—and bearing in mind that we extend over nearly three thousand miles along the United States frontier—freer access is, and must be a matter of first rate importance to all the principal sections of this Dominion, and notably to the section which my hon. friend represents and also to the eastern portions of this country. In all those places free access to the United States markets would, I believe, enormously enhance the prosperity of the people and the value of many of their products. That, of course, is a matter which the hon. gentleman is perfectly at liberty to controvert if he thinks fit, but I fancy when the sense of either chamber is taken he will find that my words will have an echo which will rather surprise him, not merely in one section of the country but all over. My hon. friend, in addition to this, was pleased to declare that we had shown very little disposition to maintain a stable tariff. I recollect perfectly well the number of changes that were made between 1878 and 1896, and I venture to say that

for one change that we may have made there were ten made during the period my hon. friend has alluded to, and in any case if he will compare the tariff as it was brought down in 1896 with the tariff as it now stands, he will see that, taken all in all, there is very little change, hardly in most cases amounting to more than two or three per cent at the outside in most of the articles that it covers. The hon. gentleman was pleased to say that we had done nothing in the way of carrying out the pledges made to the people before 1896. When we reduced the tariff on the articles imported from Great Britain by 33⅓ per cent we made a step which had a very large and very widespread effect in reducing the total burden of the people of Canada, and he will remember that when you reduce, as we reduced, the taxation of all articles imported from Great Britain to that extent, it had a very powerful effect in reducing the prices which the United States or German manufacturers, or any other manufacturers with whom we were doing business, were able to charge the people of Canada. I do not say it had the effects of reducing their rates by one third, all round, but it had a material effect in reducing them. Touching the hon. gentleman's first statement, that the balance of trade against us in farm products was a very exorbitant one and that it increased very materially since 1878, I think if he will look a little closely into the matter he will find a very considerable quantity of the articles that he alludes to were either articles that were passing in transitu, or articles which were put down under the head of agricultural products, which were not in the slightest degree likely to affect the productions of any of our farmers. The matter has been discussed on other occasions. I notice that among the articles which went to make up the balance of trade against us there were such articles as bananas, which amounted to very nearly a million and a half. Although it is possible there are some sections of British Columbia which may come in competition, I am not aware that, fertile as the Northwest or any part of Canada may be, the introduction of bananas into the country is very likely to affect the profits of any of our farmers. I notice that we imported a couple of million dollars worth of oranges. I suppose a properly applied protective system, with sufficient protection, would enable our people to grow oranges under glass, and possibly there may be some ground for saying that in that way the free importation of oranges had offended against the true principles of protection, but I do not think the bulk of our farmers would find themselves very seriously, or very materially affected by the fact that bananas and oranges, or similar articles, had been allowed to come in from United States ports in competition with the products of our farms. I think, too, he will find, that although that possibly may be owing to some error in the statements that were laid before him, in other cases quite a considerable quantity of the articles which go to make up the balance of trade that he speaks of were really simply United States produce which passed over our railways or through our canals, and was afterwards exported to Europe. I do not think he will find that any very material increase has taken place in the total amount of the importations in that quarter. But my hon. friend, not content with dealing severely with our proposals for reciprocity, was very grievously exercised as to the loyalty of the present government, and in particular as to the loyalty of the premier of this government. My recollection extends over a pretty long parliamentary period, and I can recollect divers members of the cabinet of Sir J. Macdonald had not merely threatened to take up arms, but had actually taken up arms against the British government. I do not know that I thought very much the worse of them for that. There is more joy in Heaven over one sinner that repenteth than over ninety and nine just men who need no repentance, and I have no doubt that some of those who thought it necessary in earlier days to oppose the British government with arms in lower Canada, had afterwards become loyal citizens, but I may say to my hon. friend when a party can swallow, as they did successively, three or, I think, four cabinet ministers, many of them Ministers of Finance too, who had signed an annexation

manifesto—and the hon. gentleman can easily verify the correctness of that statement if he chooses—that it hardly becomes them to hurl taunts of disloyalty promiscuously in the House. The thing was done in former days once or twice in the other Chamber, and after I took the trouble to read a little list of the antecedents and performances of some of the hon. gentlemen who were sitting opposite me, the charge of disloyalty was dropped, and I would advise my hon. friend that he might as well drop it on the present occasion. My hon. friend takes another ground and says—and I think he says rightly—that it is in the highest degree desirable and expedient, in a country like Canada, that we in all possible ways and in all possible fashions nurture our national spirit, that the national spirit is a precious possession of any country, and that it is a misfortune that in some parts of Canada we are not as homogeneous as other countries happen to be. I prize the national spirit of Canada as highly as my hon. friend or any man. I am a Canadian and I believe he is a Canadian. I am a Canadian through and through and I hold the honour of Canada dear as I hope and trust every member of both Houses in this parliament will do, but any one who has carefully observed the progress of Canada during the last fourteen years and the position which the present Prime Minister of Canada occupies in the eyes of the world at large, will bear me out in saying that no man has done more to promote the growth of a national spirit in Canada and to bring Canada prominently before the eyes of the world than Sir Wilfrid Laurier.

Touching the recent events to which the hon. gentleman devoted so much attention in the earlier part of his speech, events which followed the valuable addition which we have just had to the ranks of the Senate, I would say to the hon. gentleman that I think, on the whole, we might leave the House of Commons to their own devices on that point. For my own part, I am not at all sure that the results of the election in Drummond and Arthabaska, which I may allude to, as he has alluded to them, will not prove, on the whole, a blessing in disguise. I think it will tend strongly to illustrate the remarkable concord which exists between certain portions of His Majesty's—I was going to say loyal opposition—but of His Majesty's opposition in regard to the questions my hon. friend has brought up, and in any case they have given the opportunity to the friends of Canadian nationality to dissever themselves from the extreme position which was taken up in that respect by the gentlemen who opposed the government candidate in Drummond and Arthabaska. I have noticed, also, that these gentlemen, when they appeared in another part of the country, were pleased to disavow, and very pointedly, all the statements that had been attributed to them in the way of inciting to disloyalty on the part of the French Canadians. If my hon. friend, who has been studying the 'Globe' with some care, will pay a little attention to the remarks made by a namesake of my hon. friend from Kennebec, he will see that that gentleman declared himself—and I daresay declared himself correctly—to be quite as loyal a man as any member of His Majesty's opposition, the hon. gentleman and his friends not excepted. Taking the whole thing all around, I think the hon. gentleman will not find that any very great accessions of strength, particularly in the province of Ontario and in the western provinces, are likely to come to himself or his friends from the events which have taken place in the province of Quebec, and I for one feel tolerably well convinced that when the present Premier has the opportunity of explaining his views in detail to his countrymen my hon. friend will find that the confidence which has been so long and so worthily displayed in him by the people of the province of Quebec, as well as the people of the other provinces, has not been shaken in the least by the slightly untoward event which took place a few days ago.

Touching the other matters the hon. gentleman alluded to, I entirely concur with him in thinking that a very great step forward has been made in the successful adjustment of those long and exasperating difficulties which have subsisted on our seashore between some of the maritime provinces and the United States, and I, as warranting to a very considerable extent the hopes that I have previously expressed, hail the way in which the award of The

Hague Tribunal was accepted on both sides as a happy harbinger of what I trust to live to see yet brought about, and that is the establishment of thoroughly cordial relations between ourselves and the people of the United States.

The motion was agreed to.

PRINTING BUREAU INVESTIGATION.

Hon. Sir MACKENZIE BOWELL—I do not see among the returns laid upon the table a report of the Secretary of State showing the result of his investigations at the Printing Bureau. Is that report not ready yet?

Rt. Hon. Sir RICHARD CARTWRIGHT —I rather think it is not printed but will be in a short time. The intention of the government was to refer that to a joint committee of both Houses.

THE BANKING ACT.

Hon. Sir MACKENZIE BOWELL—May I ask if it is the intention of the government to introduce the Banking Bill in the Senate or the Copyright Bill. Those are two very important measures and I know of no man in the government who can deal with them better than the right honourable gentleman who leads this House, and considering the attention which was given by the Senate to a very important Bill last session, it would be advisable on the part of the government if they would agree with me that these measures should be introduced in this House, where we have plenty of time to give them full consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend is aware that the Banking Act is in a special sense within the province of the Minister of Finance.

Hon. Sir MACKENZIE BOWELL—He is not here, and I hope my honourable friend is looking after that office while he is away.

Rt. Hon. Sir RICHARD CARTWRIGHT —Pro tem, but until he returns I would hardly be able to say what course he will take upon it. The Copyright Bill might very well be introduced here, and I propose to mention that to the minister in charge.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

THURSDAY, November 24, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE COMMITTEE OF SELECTION.

MOTION.

Hon. Mr. GIBSON, from the Committee on Selection, presented their report and moved that it be taken into consideration to-morrow. He said : The Committee of Selection have not done anything with regard to the committee to be appointed to take into consideration the report of the Secretary of State. Perhaps the right hon. gentleman who leads the House will tell us if it is going to be referred to a special committee.

Rt. Hon. Sir RICHARD CARTWRIGHT —I understood from the Secretary of State that it would be referred to a joint committee of the two Houses.

Hon. Mr. GIBSON—A special committee?

Rt. Hon. Sir RICHARD CARTWRIGHT —I presume it will be a special committee of the two Houses.

The motion was agreed to.

THE LIEUTENANT GOVERNORSHIP OF QUEBEC.

MOTION.

Hon. Mr. LANDRY moved :

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate copies of all Orders in Council, memoranda or other correspondence respecting the resignation of the present Lieutenant Governor of the Province of Quebec, the appointment of his successor, the application for leave of absence, and the appointment of an Administrator during the absence from the country of His Honour Sir Pataleon Pelletier.

The motion was agreed to.

THE QUEBEC BRIDGE.

MOTION.

Hon. Mr. LANDRY moved :

That an Order of this House do issue for a Return of all correspondence between the government, some of its members or employees, and the engineers appointed to prepare the plans of the new bridge to replace the one which collapsed at Quebec in the year 1907.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not object to the motion but it will be some considerable time before I can promise the return.

Hon. Mr. LANDRY—It is for that reason I am moving it at the beginning of the session. I moved for returns last year, and the House granted the orders, but the returns have not been submitted yet. This session I am beginning early so as to get them before the next parliament.

The motion was agreed to.

THE NAVAL ACT.

MOTION.

Hon. Mr. LANDRY moved :

That an Order of this House do issue for a Return of a statement showing in as many distinct columns:—

1. The name of the electoral district;
2. The name of the parish, township, town or city;
3. The name of the first signer, and mention of the additional number of signers of each of the petitions presented during the last session, either to the House of Commons or to the Senate, praying for the postponement of the adoption of the proposed Naval Act until the people have had the opportunity of expressing their will by means of a plebiscite;
4. The date of the presentation of each of these petitions;
5. The name, in each case, of the member or senator who presented these petitions.

The motion was agreed to.

THE CASE OF MAJOR BROUSSEAU.

MOTION.

Hon. Mr. LANDRY moved :

That an order of this House do issue for a Return of copies of correspondence between Major J. D. Brousseau, P.A.M.C. (acting), and his superiors with respect to any complaints or reports concerning him.

The motion was agreed to.

THE COMMANDANT OF THE SIXTY-FIRST REGIMENT.

MOTION.

Hon. Mr. LANDRY moved :

That an order of this House do issue for a Return of copies of all correspondence between Lt.-Col. Pelletier, commanding the 7th Military District, and Lt.-Col. Bacon, commanding the 61st Regiment, and the superior military authorities, with respect to any complaint or report concerning the Commandant of the 61st Regiment active militia.

The motion was agreed to.

THE ESTABLISHMENT OF GRAVING DOCKS.

MOTION.

Hon. Mr. LANDRY moved :

That an humble Address be presented to His Excellency; praying that His Excellency will cause to be laid before the Senate copies of all Orders in Council and correspondence respecting the establishment in this country, of graving docks, under the provisions of legislation adopted, in view thereof, by Parliament.

The motion was agreed to.

THE EUCHARISTIC CONGRESS.

MOTION.

Hon. Mr. LANDRY moved:

That an humble Address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate, copies of all orders in council, of all decisions rendered by the Military Council or some of its members, and of all correspondence concerning the guard and escort of honour applied for in August and September last on the occasion of the visit in Quebec and Montreal of His Eminence Cardinal Vannutelli.

Hon. Mr. DAVID—Will the hon. member be kind enough before we vote on that motion to tell us why he wants this information?

Hon. Mr. LANDRY—I just want to know what took place in August and September last when correspondence was going on between the military commands of Quebec and Montreal and the head office in Ontario. I know that we have no right to suspect motives, but really I am the victim of one who has attributed to me motives of which I am not guilty. I have been accused of trying to ride the racial and religious horse, and if I am not mistaken we were threatened with a religious war in this House and in the House of Commons. It was said that in the Senate they had Senator Landry who was trying to cast blame on the government, because they did not approve of guards of honour for His Eminence. My motion says nothing of the kind. My motion does

not throw blame on either the government, or the commanding officers of the different districts. There is nothing of the kind, and I say nobody has any right to suspect my motives; they are as pure as the clearest spring water.

Hon. Mr. DANDURAND—There is no danger of the two horses clashing if one is being ridden in the Senate and the other in the House of Commons.

Hon. Mr. LANDRY—Statements have been made on the subject, and what I want to know is merely what took place in the country between the constituted authorities in order to see what happened. If there is any blame to be thrown on the government, it will be time enough to throw it then, and not before. I think my motion is as candid as myself.

Hon. Sir MACKENZIE BOWELL—The minister in the other House went altogether too far in the declaration he made in reference to the action of gentlemen in both Houses on the subject of this motion. The Minister of Marine and Fisheries said that one gentleman in the Commons was riding the Protestant horse, 'while in the Senate you have the other side of the question. There Senator Landry is trying to cast blame on the government because we did not provide guards of honour for His Eminence.' If the motion of my hon. friend on my right is correctly interpreted by the Minister of Marine and Fisheries, I certainly would not be the one to second it, but there is nothing of the kind in the motion. If I made any complaint at all, it might be upon another ground. I have expressed no opinion upon the question, but I have no desire to have it placed upon record that I second a motion censuring the government for not providing a guard of honour for the purpose mentioned. I want to know just as well as my hon. friend who moves the motion what was really done.

The motion was agreed to.

QUEBEC HARBOUR COMMISSION.

INQUIRY.

Hon. Mr. LANDRY inquired:

Is it the intention of the government to maintain the Quebec harbour as it at present constituted, or to substitute therefor another commission modelled on the Montreal Harbour Commission?

2. Has this reform been asked for and by whom?

Rt. Hon. Sir RICHARD CARTWRIGHT—The reply to the first question is, the matter is under consideration; to the second question, yes, by the Quebec Board of Trade.

THE ST. LAWRENCE CHANNEL.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

At the time of the last inspection of the St. Lawrence channel made by the Minister of Marine, between Montreal and Ile aux Oies, in the county of L'Islet, what was the depth of the water, at low tide, at Cap à la Roche, and at St. Augustin bar between Montreal and Quebec.

Rt. Hon. Sir RICHARD CARTWRIGHT—The reply of the department is as follows:

At Cap à la Roche—
28 ft. 4 in. at low tide.
33 ft. 3 in. at high tide.
At St. Augustin. bar—
27 ft. at low tide.
39 ft. at high tide.

Hon. Mr. LANDRY inquired of the government:

1. What is, at low tide, the depth of the channel of the River St. Lawrence across the Beaujeu bank?
2. What is its length and width?
3. What difference of depth was there at that place before the beginning of the present works, and will there be, after their completion between the ordinary high and low tides and between the high and low spring tides?
4. What has been the cost, up to date, of the excavation works executed by the government at the Beaujeu bank?
5. What is the quantity of cubic yards taken up at that place up to date from the bottom of the river?
6. When does the government expect to have these works completed, and at what number does it estimate the quantity of cubic yards that it will be necessary to remove from the bottom of the river, and the cost of these additional works?
7. What will then be the width and length of the channel at ordinary low tides?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are as follows:

1. There is no such place as Beaupré Bank, but the hon. gentleman is referring perhaps to Beaujeu Bank, near Crane

Island. The depth of the water at that place at low tide is 30 ft.

2. One mile in length, 1,200 feet in width.

3. Before the work was commenced, the depth of water in the channel at Beaujeu Bank at low tide: Spring tides, 21 ft. Neap tides, 23 ft. There is at present time at spring tides 30 feet low, and 48 ft. high. Neap tides, 32 ft. low, and 43 ft. high.

4. $213,499.82.

5. 2,243,800 cubic yards.

6. The work is now completed.

7. Answered by No. 2.

ST. LAWRENCE RIVER EXCAVATION.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. What is, in cubic yards, the quantity of clay and stone extracted from the River St. Lawrence at the spot known as the St. Thomas channel?
2. What was, at that place, during ordinary low tides, the depth of the river at the beginning of the excavation works?
3. What will be, at the completion of said works, the depth of the river during ordinary low tides?
4. What has, up to date, been the cost of the said works?
5. What is the estimated cost of additional work to complete the undertaking?
6. What will then be the length and width of this artificial channel opened by the government?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follows :

1. 2,400,900 cubic yards.

2. 25 feet.

3. 32 feet.

4. $158,577.55.

5. $75,000.

6. One mile and three-quarters in length, and 1,000 feet in width.

THE CANADIAN NAVAL SERVICE.

INQUIRY POSTPONED.

The notice of inquiry being called by the Hon. Mr. Landry, that he will inquire of the government :

1. What is the position that Commander Roper actually occupies in the Canadian Naval Service?
2. To what department does he belong.
3. What is his salary?
4. What are his functions?
5. Since when has he exercised them?
6. Was he sent here by the Imperial authorities without having been asked for by the Canadian government, or did he come to this country on the request of the government?
7. What is to be the length of his service in Canada?
8. Where does he actually reside?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have not received a reply to this inquiry.

Hon. Mr. DAVID—I would like to suggest to my hon. friend that he should add another question to No. (13) as follows : ' Is it true that Mr. Roper is to receive a salary of $50,000 as it was stated in Arthabaska? '

Hon. Mr. LANDRY—I would prefer the hon. gentleman should give notice of that question himself.

Hon. Mr. DAVID—The hon. gentleman knows more about it than I do.

Hon. Mr. LANDRY—The government is not in a position to give an answer. The hon. leader was not in Arthabaska, and it would be difficult for him to answer that question.

The notice was allowed to stand.

REFORM OF THE SENATE.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

Whether is it the intention of the government to put into execution the promise contained in the programme set forth by the Liberal convention held at Ottawa in June, 1893, in so far as the reform of the Senate is concerned?

Whether the government intends to begin this reform of the Senate by giving this House a number of representatives in the cabinet equal to that which the former administration had granted?

Whether the government thinks it can continue this reform by giving, as the preceding government had done, a French representative among the number of senators forming part of the cabinet?

When will the government begin these reforms?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have the honour to inform my hon. friend that these questions are engaging the serious consideration of the cabinet.

Hon. Mr. LANDRY—We might let it stand and when the hon. gentleman says the government have considered it long enough we might take it up again.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have replied to the question.

Hon. Mr. LANDRY—I give notice that after the recess we will come to the inquiry

again, and I would not like the hon. minister to forget that I am going to put it once more.

NAVAL SERVICE OF CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired of the government :

1. Has the Department of the Naval Service, which was created by the legislation of last session, been regularly organized and put in operation?
2. Who has been appointed Deputy Minister by the Governor in Council?
3. Who are the other officials and clerks necessary for the proper administration of the affairs of the new department who have been appointed by the Governor in Council?
4. Who among these officials and clerks are those who have been transferred from the Department of Marine and Fisheries to the Department of the Naval Service?
5. Who among these officials and clerks come from elsewhere?
6. What is the salary of each of the officials?

Rt. Hon. Sir RICHARD CARTWRIGHT —I would say to my hon. friend that this would be a very long answer. I would suggest that he should move for a return.

Hon. Mr. LANDRY—Then I will move that an order of the House do issue for a return containing this information.

The motion was agreed to.

SALARY OF SUPERINTENDENT OF PILOTS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is there at Montreal a Superintendent of Pilots by the name of James J. Riley?
2. When was he appointed to that position?
3. Has he ever been a pilot in his life, where and when?
4. What salary does he receive?
5. Does he discharge any other functions, and what ones?
6. How much does he receive as remuneration for the discharge of these additional functions?
7. By whom is he paid in these last mentioned cases?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follows:

1. Yes.
2. April 26, 1904.
3. No, but he has been in command for a number of years.
4. $1,600 per annum.
5. He is examiner of masters and mates and is occasionally called upon to make preliminary investigations into shipping casualties. He has also given lectures on marine subjects.
6. Nothing over the salary allowed as superintendent of pilots.
7. Answered by No. 6.

THE CRUISE OF THE 'ARCTIC.' 'ARCTIC'.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. When did the 'Arctic' leave Quebec on its present cruise into the northern seas?
2. What is the number of persons who are taking part in the expedition?
3. Are they all members of the crew?
4. How many officers are there and how many simply sailors?
5. What are the names of the officers and what are their duties?
6. How much a day does the pay of the crew cost?
7. How many months, approximately, is the cruise to last?
8. Is the 'Arctic' to return to its point of departure or has Captain Bernier authority to make his way from the east to the west of the American continent by the northern seas?
9. In such case what route is he to follow?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follows:

1. On the 7th of July, 1910.
2. Thirty-six.
3. Yes.
4. There are nine officers and twenty-seven men comprising the ship's company.
5. J. E. Bernier, commander; Joseph Etienne Bolduc, ship's doctor ; J. T. E. Lavoie, meteorologist, magnetic observer and photographer ; Fabien Vanasse, historographer ; John V. Koeing, chief engineer ; Emile Bolduc, second engineer ; O. J. Morin, mate ; Robert S. James, second mate ; Edward MacDonald, third mate.
6. The pay of the officers and crew costs $56.40 per day.
7. Approximately twenty-four months unless accidents occur.
8. Captain Bernier has authority to make his way from the east to the west of the American continent by the northern seas to Victoria or Vancouver.

9. It will be his duty to patrol Davis Strait, Baffin Bay, Lancaster Sound, Barrow Strait, Velville Sound, McClure Strait and Beaufort Sea, as far west as Herschel Island for fishery purposes and from there proceed along the coast of Alaska to Behring Strait and thence to Victoria, B.C

QUEBEC BRIDGE PLANS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who are the engineers who have been appointed by the government at different times to prepare the plans of the new bridge projected above Quebec?
2. What is the date of each of these appointments?
3. What is the amount allowed as salary to each of the engineers or their assistants?
4. How much has been paid to each of them up to this date?
5. Are there any claims not yet settled, and for what amount?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follows:

1. H. E. Vautelet, chairman and chief engineer; Ralph Modjeski, Maurice Fitzmaurice, all appointed September 4, 1908. Charles E. McDonald, appointed October 5, 1910, in place of Mr. Fitzmaurice who resigned. Mr. McDonald's term of office, if not reappointed, to continue in force until such time as the plans already prepared and submitted, and tenders examined and reported on to the Minister of Railways, for the action of the government; and until the contract for the superstructure of the bridge is awarded.

2. Answered by No. 1.

3.

	A month.
H. E. Vautelet	$1,000
Ralph Madjeski	1,000
Chas. E. McDonald	1,000

Mr. Modjeski and Mr. Fitzmaurice were appointed at the rate of $1,000 a month, during such time as they were engaged in deciding on the scheme to be adopted, and in preparing their report, and subsequently, while engaged in an advisory capacity only, at the rate of $500 a month.

4.

H. E. Vautelet..	$25,483 87
Ralph Modjeski	25,483 87
Maurice Fitzmaurice.. ..	$25,483 87
Charles E. McDonald.. .	1,000 00

Mr. Fitzmaurice, who took a vacation on account of ill-health, declined to accept several cheques, included in the above amount.

5. This question is not clear as to what claims are referred to.

FRENCH VERSION OF REGULATIONS, ORDERS IN COUNCIL AND DOCUMENTS.

INQUIRY.

Hon. Mr. LANDRY rose to draw the attention of the government to the following facts:

1. On the 14th of April, 1910, the Senate adopted a resolution which reads as follows:—

'The Honourable Mr. Landry moved, seconded by the Honourable Mr. David,

'That in the opinion of this House the most elementary justice and respect for the constitution demand that every time laws, regulations, Orders in Council, or any documents concerning the public in general, are published in English in 'The Canada Gazette,' that journal, which is the official organ of the country, ought equally and as far as possible to contain the publication in the French language of the same laws, regulations, Orders in Council, or documents concerning the public in general.

'The question of concurrence being put thereon, the same was

'Resolved in the affirmative, and

'Ordered accordingly.'

II. On the 16th April, 1910, 'The Canada Gazette' of that date published at length in English the following Acts which became law:—

An Act to amend the Exchequer Court Act.

An Act to amend the Government Annuities Act, 1908.

III. On the 4th June, 1910, 'The Canada Gazette' published at length in English the following Acts that became law:—

An Act to amend the Government Annuities Acts, 1908.

An Act to incorporate the Canadian Northern Alberta Railway Company and to aid in the construction of its railway.

An Act to assist in maintaining an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press.

An Act to amend the Civil Service Act.

An Act to provide for the investigation of combines, monopolies, trusts and mergers.

An Act to amend the Criminal Code.

An Act to amend the Criminal Code.

An Act to amend the Criminal Code.

An Act to amend the Criminal Code respecting injuries to persons due to motor vehicles.

An Act respecting the Currency.

An Act to amend the Customs and Fisheries Protection Act.

An Act to amend the Customs Tariff, 1907.

An Act to encourage the construction of Dry Docks.

An Act respecting Escheats.

An Act to amend the Exchequer Court Act.
An Act to amend the Fisheries Act.
An Act respecting a certain supplementary convention between His Majesty and the President of the French Republic.
An Act to correct a clerical error in the French Convention Act, 1908.
An Act to amend the Gas Inspection Act.
An Act to amend the Government Railways Act.
An Act to authorize the Government of Canada to acquire, by lease, lines of railway connecting with the Government Railways.
An Act to provide for the adjudication of small claims arising in respect of the operation of Government Railways.
An Act to amend the Indian Act.
An Act to amend the Industrial Disputes Investigation Act, 1907.
An Act to amend the Inland Revenue Act.
An Act to prevent the introduction or spreading of Insects, Pests and Diseases destructive to vegetation.
An Act respecting Bounties on Iron and Steel made in Canada.
An Act to amend the Irrigation Act.
An Act to amend the Judges Act.
An Act to amend the Land Titles Act.
An Act respecting the payment of Bounties on Lead, &c.
An Act to amend the Meat and Canned Foods Acts.
An Act to amend the Militia Pension Act.
An Act to provide for the further advance to the Harbour Commissioners of Montreal.
An Act to amend the Act respecting the National Battlefields at Quebec.
An Act respecting the Commission for the conservation of Natural Resources.

IV. On the 11th of June, 1910, 'The Canada Gazette' published at length in English the following Acts, which became law.

An Act respecting Immigration.
An Act respecting Insurance.
An Act respecting the Naval Service of Canada.
An Act to amend the Navigable Waters Protection Act.
An Act respecting the City of Ottawa.
An Act to provide for the payment of bounties on Crude Petroleum.
An Act to amend the Post Office Act.
An Act to amend the Prisons and Reformatories Act.
An Act to authorize the sale or other disposal of certain public lands, &c.
An Act to amend the Railway Act.
An Act to authorize the granting of subsidies in aid of the construction of lines of railway.
An Act to amend the Royal Military College Act.
An Act to authorize the erection of certain wharfs and buildings in the Harbour of St. John.
An Act to amend the Seed Control Act.
An Act to amend the Telegraphs Act.
An Act to correct an error in the Telegraphs Act.
An Act to control the rates and facilities of Ocean Cable Companies, &c.
An Act to amend the Canada Temperance Act.
An Act to provide for the testing of Glassware, &c.
An Act to amend the Volunteer Bounty Act.
An Act respecting the Water Carriage of Goods.
An Act to amend the Winding-up Act.

V. 'The Canada Gazette' has not at any time from the 16th of April, 1910, up to this date published the French Version of the sixty Acts hereinbefore cited.

And inquired of the government:—

Why, in face of the positive Order of this House, has the Minister who controls the publication of 'The Canada Gazette' not thought it his duty to grant the French element of this country that measure of Justice which the constitution that governs us guarantee to it?

Is it the intention of the government to persist in this denial of justice or to give its officers the order to comply with the obligation which both the laws of the country and the orders of this House impose upon them?

He said: I do not pretend that the minister himself has refused in the past or would refuse now what I am asking to-day, but there must be negligence somewhere, and if the officer who publishes the 'Canada Gazette' knows his duty, I think he should perform the obligations which are imposed upon him. French and English are the two official languages of Canada, and if the English people have a right to have their laws published in English, the French element of this country have an equal right, and I claim it as a right, not as a favour. We are asking what was promised and what was given to us when we entered confederation. It was known at the time that the province of Quebec reserved certain rights which had been granted to us. I desire that the pact into which we entered be respected, and where we have any right that it should be recognized. We are not asking more than we are entitled to: we are asking many times less than we are entitled to.

Hon. Mr. WATSON—Order, the hon. gentleman should not make a speech on an inquiry.

Hon. Mr. LANDRY—Does the hon. gentleman not know that one of our rules points out precisely the form of question to be submitted when we desire to direct the attention of the House to certain facts and that in such cases we have the right to discuss such a question?

Hon. Mr. WATSON—Would there be a right to such a reply?

Hon. Mr. LANDRY—Certainly.

Hon. Mr. WATSON—All right.

Hon. Mr. LANDRY—Does the hon. gentleman persist in his point of order?

Hon. Mr. WATSON—If according to the rules it is open to debate an inquiry of this kind I have nothing to say, but I did not think an hon. gentleman making an inquiry had a right to make a speech. However, I admit I am not posted on the rules.

Hon. Mr. LANDRY—I accept the admission of the hon. gentleman and I hope that at another time when he does not know the rules he will not raise a point of order.

Hon. Mr. WATSON—All right. I will not be like my hon. friend.

Hon. Mr. LANDRY—We are only asking what is our right and what we claim as a right to the French element in this Dominion. The laws are published in English and in French. They come from the House of Commons in both French and English. We cannot pass them here unless they are printed in both languages. What I am asking for here is not for the province of Quebec alone, but for the whole Dominion. When the English version is printed in the 'Canada Gazette' for the English speaking people of this country, I claim that the French version should be printed for the French speaking people also, not for the people of Quebec merely, but for the benefit of the whole French population of the Dominion. We have lawyers and others who like to know what the law of the country is, and as soon as those statutes are published in the 'Canada Gazette' in the English language, I renew my claim that they should be published in French. I call the attention of the minister to the fact that we passed a resolution last year on that subject, and I hope that in the future whenever a law or ordinance of any kind is published in the 'Canada Gazette' in the English language, it shall also be published in the French language.

Rt. Hon. Sir RICHARD CARTWRIGHT—In reply to the hon. gentleman's question I may say he is quite correct in saying that as far as possible the publication should be made simultaneously.

Hon. Mr. LANDRY.

Under the provisions of section 32 of chapter 80 of the Revised Statutes of Canada, 'The Public Printing and Stationery Act', responsibility for the publication of the statutes of Canada and of the 'Canada Gazette' is placed by parliament upon the King's Printer, without any control or direction of any minister of the government in that respect.

The publication of the statutes in the 'Canada Gazette' is a matter of temporary convenience for the benefit of the public prior to their being issued in bound volumes.

It has not been the practice since confederation to publish the statutes in French in the 'Canada Gazette'. However, a resolution of the Senate, dated the 14th of April, 1910, directed that thereafter statutes should be published in the French as well as in the English language. Since the 14th of April, 1910, statutes have been received at the Printing Bureau, certified by the Clerk of the parliaments, under his seal of office, for printing, as follows, viz:

English—Chapters 71 to 150 inclusive, May 12, 1910. Chapters 151 to 177, May 13, 1910.

French—Chapters 71 to 176 inclusive, May 13, 1910. Chapter 177, June 18, 1910.

These statutes were not published in French in the 'Gazette' mainly because the copies received for that purpose on the dates above referred to contained numerous errors. The copies were returned for correction and it was not until the 15th of July that the last of the corrected copies were received at the Printing Bureau. At that time the work on the annual volumes of the statutes had so far advanced that it was evident that the French and English versions might appear together, and as a matter of fact their simultaneous publication was made on the 3rd of August, 1910.

If the French statutes had been published in French in the 'Gazette' a delay of from three weeks to one month in issuing the bound volume would have occurred. As it was the French statutes were published complete within ten days of the time within which they could have been published in the 'Gazette.'

Hereafter the French statutes will ap-

pear in the same number of the 'Canada Gazette' as the English statutes.

INTERCOLONIAL RAILWAY PASSENGER RATES.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. What price is charged by the authorities of the Intercolonial railway for each passenger between Quebec and Montreal and return, during the summer season, in the first class—
   On the ordinary trains;
   On the trains called excursion trains?
2. Between Quebec and Montmagny and return—
   On the ordinary trains;
   On the excursion trains?
3. Has a less price ever been asked, when, on what occasion, and for what reason?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply of the department is as follows:

1. (a) Ordinary round trip fare $7.35. (b) Organized excursions, minimum guarantee 100 tickets, $2.70.

2. (a) Ordinary round trip fare $1.85. (b) Organized excursions, guarantee 100 tickets, 65 cents.

3. (a) Quebec to Montreal and return, minimum guarantee 200 tickets, at $1.50 per ticket, October 10, 1910, demonstration in Montreal in honour of Sir Wilfrid Laurier, on his return from his western tour. The amount realized, by the Intercolonial, on this excursion, was $903.75. (b) No lower fare than mentioned above, quoted between Quebec and Montmagny.

WARSHIPS FOR CANADA.

Hon. Mr. LANDRY—I wish to inquire from the hon. leader of the House if the following, which is published in a paper, is correct:

CRUISER IS BEING BUILT IN BRITAIN FOR CANADA.

This Fact, Now Public, Does not Coincide With Statement That Ships Will be Built in This Country.

British publications devoted to naval and military subjects continue to assert that a cruiser is being built in Great Britain for the Canadian navy. The latest to do so is the United Service Magazine, which in its November issue contains the following paragraph:—

The armoured cruisers 'New Zealand' and 'Austrlia,' building for service in the Pacific, will displace 18,800 tons, and will be sisters to the 'Indefatigable.' Orders have recently been placed for a protected cruiser for the Australian, Canadian and New Zealand service.'

This repeated assertion that a protected cruiser, that is, a ship of the Bristol class, is actually about to be constructed in Great Britain for the Canadian navy hardly consorts with the declarations that all the ships will be built in Canada.

I want to know from the hon. gentleman if there is any truth in that statement and how far the statement is correct.

Rt. Hon. Sir RICHARD CARTWRIGHT —So far as I am aware, the statement is entirely without foundation.

Hon. Mr. LANDRY—That means that the hon. gentleman knows nothing about it.

Rt. Hon. Sir RICHARD CARTWRIGHT —That means that I have very little doubt that it is entirely incorrect. If my hon. friend wants official information I will inquire from the Department of Marine.

Hon. Mr. LANDRY—I was never a member of the Cabinet and I do not know how matters of this kind occur.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think any member of the government in any shape, form or manner authorized any such statement.

Hon. Sir MACKENZIE BOWELL—My hon. friend (Mr. Landry) has not had the experience and consequently he may be excused for what he says in that respect. I saw it stated either in the report of the proceedings of the Commons or in a newspaper, I forget which, that the Minister of Marine and Fisheries had denied that report positively and made the assertion that these ships were to be built in Canada.

Hon. Mr. LANDRY—Perhaps we might know if it is true that the British government, on the demand of the Canadian government for plans for the construction of these ships, had refused to send the plans over. If they really refuse to send the plans I do not see how we can build the ships here.

Hon. Mr. LOUGHEED—I suppose the government will not proceed with the

building of these ships until a plebiscite is taken on the question.

Rt. Hon. Sir RICHARD CARTWRIGHT —Until what?

Hon. Mr. LOUGHEED—A plebiscite is submitted.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think the government have it in their power to refer this matter to a plebiscite.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

FRIDAY, November 25, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

MILITIA REGULATIONS AND ORDERS.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. How does it happen that it has been necessary to wait until the 5th of November, 1910, to publish in French in the 'Canada Gazette' the King's Regulations and Orders for the Militia of Canada, 1910, which have been in force since the 12th February last, the date of their promulgation in English in the 'Canada Gazette'?
2. Why have the said Regulations and Orders only been published partially in French, when it has been thought necessary to publish them at full length in the English language?
3. Does the government intend to cause to be published immediately the whole of the French version of the Regulations and Orders in question?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer of the department to question No. 1 is: The first part of the copy for the English version of the King's Regulations and Orders for the Militia of Canada, 1910, was received at the Bureau on the 14th of July, 1909, and the last, the Addenda, on the 29th of December, 1909. The copy for the French version was not received until April 30, 1910. While the last proofs of the English version were signed to print by the department on the 5th of January, 1910, the proofs for the French version were not signed to print by the department until the 12th of November, 1910. The English version was Gazetted on the 12th of February, 1910 and three-fourths of the French version was Gazetted on the 5th of November, 1910. The printing of the French version is not yet complete. The balance will be inserted in the 'Gazette' on the 26th of November, 1910.

The reply to question No. 2 is: About the 1st of October, 1910, work was begun on the supplement of the 'Gazette,' issued on the 5th of November, which contained the first instalment of the French version of the regulations, but as it was seen that if the regulations were published in one issue it would greatly delay publication of the regulations for ordinary circulation, the last form having been approved of by the Department of Militia and Defence a week later than the date of the supplement, and it was decided to publish it in two parts. The balance will be published in the 'Gazette' of the 26th of November, 1910.

The reply to question No. 3 is: The answer to this is contained in the answer to question No. 2.

REPORT OF GENERAL FRENCH.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. When did General French come to this country?
2. When did he leave?
3. Did he come here at the request of the Canadian authorities, or was he sent here by the imperial government?
4. What was his mission?
5. What camps did he visit, and, besides these camps, what troops did he review, and what military places did he inspect?
6. Did he make a report on his different inspections and on the general state of our military forces?
7. To whom was this report addressed, and is a copy in the possession of the government?
8. Does the government intend to have it distributed among members of parliament?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follows:

1. Arrived at Quebec from England 20th May, 1910.

2. Sailed from Quebec for England 8th July, 1910.

3. At the request of the Canadian government.

4. To inspect the conditions and efficiency of the Canadian military forces.

5. (a) Visited the camps at Niagara, Kingston, Petawawa, Calgary and Sewell.

(b) Reviewed the permanent corps ; 8th and 9th regiments at Quebec.

The permanent corps ; 2nd, 10th and 48th regiments, Toronto.

The 13th and 91st regiments, Hamilton.

The 1st, 3rd, 5th and 65th regiments, Montreal.

The permanent corps, Royal Military College cadets, and 14th regiment, Kingston.

The Governor General's Footguards and 43rd regiment, Ottawa.

The permanent corps, 1st artillery, 63rd and 65th regiments, Halifax.

The 3rd artillery and 62nd regiment, St. John.

The permanent corps, 79th and 90th regiments, Winnipeg.

The cadet corps at Toronto, Montreal, and Winnipeg.

(c) Inspected—Royal Military College, Kingston. Barracks at Toronto, Kingston, Halifax and Winnipeg. Forts at Quebec and Halifax.

6 and 7. Yes, a general report addressed to the Honourable the Minister of Militia and Defence, a copy of which is in the hands of the government.

8. This will be done at the earliest possible opportunity—probably to-day.

THE CANADIAN NAVAL SERVICE.

INQUIRY.

Hon. Mr. LANDRY inquired of the government :

1. What is the position that Commander Roper actually occupies in the Canadian naval service?
2. To what department does he belong?
3. What is his salary?
4. What are his functions?
5. Since when has he exercised them?
6. Was he sent here by the imperial authorities without having been asked for by the Canadian government, or did he come to this country on the request of the government?
7. What is to be length of his service in Canada?
8. Where does he actually reside?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies furnished by the department are :

1. Chief of the naval headquarters staff.
2. Naval Service department.
3. $3,500 per annum.
4. To assist the director of naval service in the organization and administration of that service.
5. May 13th, 1910.
6. Lent by Imperial authorities at request of Canadian government.
7. Two years.
8. Ottawa.

POST OFFICE INSPECTOR IN QUEBEC DISTRICT.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Has Mr. J. B. Caouette, of Quebec, been appointed post office inspector in the district of Quebec?
2. When?
3. How long has he held that position?
4. Does he still hold it or has he retired?
5. What was his salary? When did he retire?
6. How much does he receive a year from the government out of the pension fund?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department replies to 1 and 2. Mr. Caouette was appointed post office inspector at Quebec on the 1st July, 1908.

3. Two years.
4. He has been superannuated.
5. (a) $2,600. (b) July 1, 1910.
6. $1,680.

EXPERIMENTAL FARMS IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Does the government intend to establish one or more experimental farms in the province of Quebec?
2. What properties did the Minister of Agriculture visit, or cause to be visited, for that purpose in the course of the month of September last?
3. Has he made any choice which he would be ready to recommend to the approval of the government, and what is that choice?
4. Does the government intend to put into the estimates of the present year the amount necessary for the acquisition of one or more experimental farms in the province of Quebec?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are:

1. Yes.
2. At Beauport. The properties of Messrs. Bedard and Gore. A property belonging to

La Seminaire de Quebec. At Charlesburg—A property belonging to Messrs. Paradis and Bertheaume; also the property belonging to Mr. McGrath, near Charlesburg station. At Cap Rouge—The property known as the Stadacona Farm. At St. Anne de la Pocatière—The properties of Messrs. Gendron and Hudon.

3. No.

4. Yes.

WINNIPEG EXHIBITION.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Did the government receive, at the beginning of September last, a delegation from Manitoba which had come to Ottawa to ask for a federal grant in aid of an universal exhibition to be held in Winnipeg in 1914?
2 What amount was asked?
3. What was the reply of the government?

Rt. Hon. Sir RICHARD CARTWRIGHT—The department furnishes the following answers:

1. Yes.

2. $2,500,000 spread over the next three financial years.

3. The reply of the government was that the matter would be taken into consideration.

PURCHASE OF CARRIERE & LAINE PROPERTY.

Hon. Mr. LANDRY—Before the orders of the day are called I would ask the hon. leader of the House, who has been so genorous to me in the past two days in answering my questions promptly—which gives me a little more courage—not to forget a return I asked for last session which has not yet been furnished. I refer to the purchase of the Carrière & Laine property. The government has acquired the Carrière-Laine concern in Levis for its own purposes and leased the property to some one in Quebec, but there is considerable correspondence between the government and the Bank of Montreal and Carrière & Laine. That correspondence was asked for last session and the government assented to the motion.

Rt. Hon. Sir RICHARD CARTWRIGHT—Possibly my hon. friend would send me a memorandum so that I may bring the matter to the attention of the proper officers and have it attended to.

THE LIBRARY OF PARLIAMENT.

REPORT OF LIBRARIANS ADOPTED.

Hon. Mr. POWER moved that the report of the joint librarians of parliament be adopted. He said, there are one or two points which perhaps it may be well to say a word about. The report contains the following paragraph:

> All the current literature of the day has been procured in as full a measure as the resources of the library will permit. These resources are more heavily taxed now than in previous years, owing to various causes, and a small addition to the library grant has been asked for. The expenditure for books in the library has been managed with some degree of economy, and the grant has been increased but once in five and twenty years.

That is a paragraph which should have been more particularly addressed to the members of the government than to this House. The whole grant for the purchase and binding of books for the Parliamentary Library I understand is only $12,000. Considering that the cost of the staff is very considerable, a little more liberality should be shown to the library in the matter of furnishing funds to purchase, at any rate, desirable current literature. The next paragraph speaks of the problem of providing increased space in the library and says that it still presses for solution. Back in the year 1904 the Library Committee of that time reported their approval of a plan submitted by the Dominion architect, and it was understood that steps would be taken at an early date to act upon those plans and to give the library some further accommodation. It is to be regretted that although six years have passed no such steps have been taken. Towards the close of last session the hon. gentleman from Stadacona called attention to the present condition of the library. His notice was of a very humorous character. I do not propose to indulge in any humorous observations myself; but I think it is really a matter of great disappointment to any one who is interested in the capital, and in the respectability of the administration of the government, to go into the library to-

day and see how the attractions of that beautiful room are hidden.

Hon. Sir RICHARD SCOTT—Hear, hear.

Hon. Mr. POWER—The greater part of the floor of the library is taken up with piles of newspapers; and surely the government will, with the abundant revenue which they have at present, do something in the near future to remove the reproach which the library now is to the government and to the country.

Hon. Mr. KERR (Speaker)—During last session there was a very full meeting of the committee, which was attended by the Minister of Public Works, and by members of the government who felt interested in the matter, and the question was considered as to what could be done to improve the condition of the library. They determined upon having surveys made, which was done, and estimates made of what the cost would be. I am sorry to say that it was towards the end of the session before the matter was brought to a head, but they then ascertained that the plans suggested at that meeting as being the most feasible, and the best way of dealing with the matter, would cost a great deal of money, too much, the committee felt at that time, to warrant them in recommending the improvement. During the recess the matter has engaged the attention of the Minister of Public Works.

Hon. Sir MACKENZIE BOWELL—Could the hon. gentleman tell us the amount involved in the plans to which he has referred?

Hon. Mr. KERR (Speaker)—I could not state the figures, but a very large amount. During the recess I visited the Minister of Public Works and he made an inspection at the building and discussed the question as to what would be the best course of dealing with the matter. The minister thought the best way of dealing with the matter would be by making an addition to the wing of the Senate similar to the one which has been made to the Commons, and that an underground connection could be made with the library direct.

On the second occasion other considerations were taken up and it turned out, on giving the estimates, that the amount involved was considerable, and finally, the day before the session opened, the matter was again taken up. The Minister of Public Works was at the building and spent considerable time personally looking into the matter, and he finally determined to recommend that preparations should be made for an addition on the plan originally proposed, which after all is only a temporary expedient, raising the reading room and in that way getting space. The cost is estimated at something like $60,000. I desire to say that neither the Library Committee nor the minister has been at fault with reference to the matter, but the question was to get a better solution of it, if possible, without going to a large expenditure and that is the way the question stands at the present time. I understand that they will ask for an appropriation to deal with the matter and as it will be placed in the estimates, it is only fair to the Department of Public Works that this statement should be made now.

Hon. Mr. POWER—I am very glad that I made the remarks that I did because they had the effect of bringing this explanation, which I consider satisfactory. In my humble opinion, the course the government have decided to adopt is preferable to that which they have abandoned. It would be regrettable that any structure should be put up that would block up the windows of the northern end of this building. I am very glad that the government have decided to adopt the course recommended by the committee in 1904.

The SPEAKER—The suggestion with reference to newspapers will be dealt with. It is expected that there will be storage room in the new building for these papers.

The motion was agreed to.

THE STANDING COMMITTEES.

MOTION.

Hon. Mr. GIBSON moved the adoption of the report of the committee of selection appointed to nominate the senators to serve on the several standing committees for the present session.

The motion was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the committees meet at twelve o'clock on Tuesday to organize and select their chairman.

Hon. Mr. CLORAN—I would point out that if the Senate adjourns until Tuesday at three o'clock, there will be quite a number of senators absent, especially those from Toronto and western cities. The train from Montreal gets in at about twelve o'clock. I will be here, but I am speaking on behalf of those who will be absent, and there will be quite a number absent from the west and east.

THE LIGHTING OF THE SENATE CHAMBER.

Hon. Mr. ROSS (Halifax)—Before we adjourn I should like to bring to the attention of the leader of the Senate the dark condition of this Chamber. I can scarcely discern the faces of my intimate friends on the other side.

Hon. MEMBERS—Hear, hear.

Hon. Mr. ROSS—And I cannot read or write. We were promised last session that the building would be lighted in a better manner, but I see no improvement yet.

The SPEAKER—That is a subject that I took notice of and have been trying to get remedied. The architect tells me that the fault is not from anything in the new decorations, but is from the lighting above. The contractor was to have furnished new lamps; the old ones are worn out. They were promised weeks ago. I saw him the other day the second time, and he said they would be ready in a day or two.

Hon. Mr. LOUGHEED—It is very regrettable that the government, in ornamenting the Chamber, should have departed from the colour scheme which has been pre-eminently a feature of this Chamber since confederation. It has been known as the Red Chamber, and it is to be regretted that they have departed from that colour scheme. I do not profess to be an expert in art, but it strikes me from an artistic standpoint that the Chamber is not as attractive as it was before.

Hon. MEMBERS. Hear, hear.

Hon. Mr. LOUGHEED—If the panels had been in a colour to harmonize with the general colour scheme of the Chamber, it would have been very much more fitting than the colour which at present prevails. The same criticism applies to the upholstering of the furniture. I think on the whole the appearance of the Chamber is not as attractive as it was.

Rt. Hon. Sir RICHARD CARTWRIGHT —Will my hon. friend move that a sufficient committee be appointed to 'paint the Chamber red?'

Hon. Mr. LOUGHEED—If the government will make the appropriation I fancy the members will endeavour to carry out the suggestion.

Hon. Mr. LANDRY—If anything is to be done to the Senate Chamber in the future, I hope the government will see its way to complete the work. I notice that it is not yet finished. It is incomplete. In every panel there are three golden buttons at the top and three below, but in the panel which faces me there are three buttons below only, and there are no buttons on top. I do not know whether it has been done intentionally or not. The work should be completed, and the contractor should not be paid before he puts these three buttons in place.

Hon. Mr. GIBSON—He has stencilled a beautiful thistle here which ought to make up for the loss of the other decorations.

WEEK-END ADJOURNMENTS. MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that in future, when the House adjourns on Friday, it stand adjourned until Tuesday at three o'clock in the succeeding week until further order.

Hon. Mr. LANDRY—Have the government any measure that they could initiate in the Senate?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have applied to one or two quarters and may be able to announce something on Tuesday.

The motion was agreed to.

The Senate adjourned until three o'clock on Tuesday next.

THE SENATE.

TUESDAY, November 29, 1910.

The SPEAKER took the chair at Three o'clock.

Prayers and Routine Proceedings.

THE PRINTING OF PARLIAMENT.

A message was received from the House of Commons informing the Senate that they had appointed certain members of the lower House to serve on the joint committee on the Printing of Parliament.

Hon. Sir MACKENZIE BOWELL—The practice in the past has been to appoint an equal number of members from each House on this committee. I notice that this year the number of members from the Commons has been increased. We would be unable to make a corresponding increase of the number of senators on that committee without changing the rule. It is not a matter of very great importance, but unless the number of members from the Commons is reduced to the former number, it may be necessary to change our rule relating to the subject.

Rt. Hon. Sir RICHARD CARTWRIGHT —As matters stand we could not increase the representation from this House without changing the rule.

Hon. Mr. ELLIS—It is only right to say that the quorum of that committee is usually kept up by honourable gentlemen of the Senate. That is my observation, and from the Senate point of view there is no need to increase our representation. From the House of Commons point of view it may have been considered necessary to appoint a larger number of their members to ensure a sufficient attendance.

Hon. Mr. BAIRD—They seem to have the same number this year that they had last session.

BILLS INTRODUCED.

Bill (A) An Act to provide for the incorporation of Railway Companies.—(Hon. Mr. Davis).

Bill (B) An Act to amend the Dominion Lands Act—(Hon. Mr. Davis).

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, November 30, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

STATE-OWNED CABLE.

INQUIRY.

Hon. Sir MACKENZIE BOWELL called the attention of the government to the following special cablegram which appeared in the Toronto 'Mail and Empire' on the 26th instant:—

London, Saturday, November 26. — The 'Times' says that a proposal is under consideration of a state-owned cable between Great Britain and Canada. The route was surveyed in 1860. It runs from Scotland to the Faroe Islands, thence to Greenland, and thence to Hamilton Inlet, Labrador.

The estimated cost is £850,000, which, it is figured, would permit a charge of nine cents a word for ordinary and five cents for press messages.

And inquired of the leader of the Senate if any proposals have been made to the government of Canada of the character indicated in the above cablegram, and if so, what position, if any, has the government of Canada taken in the matter?

Rt. Hon. Sir RICHARD CARTWRIGHT—I am informed that the government have received as yet no communication on the subject.

Hon. Sir MACKENZIE BOWELL—I hope the time is not far distant when this cable will be laid in order to give a continuous telegraphic communication between the home government and Canada and the Australasian and the other British portions of the world. I know that the late Mr. Dobell, a colleague of the hon. gentleman, took a very deep interest in this scheme. Whether anything will flow from the intimation given by the London 'Times' is, of course, in the future. Canada has grown marvellously since 1860, and if it be at all feasible to lay a cable by the route suggested, by which means Canada could communicate with the imperial government and the home government with Canada without being tapped or interfered with, as it can be by a route that must necessarily pass through a portion of the United States, it would be, to my mind, from an imperial standpoint, a

step in advance. What position the government may take, of course, I am not in a position to say; but should a proposal of the kind suggested by the 'Times' come from the imperial government to Canada, I express the hope personally that our government will take it into their favourable consideration.

Hon. Mr. POWER—I hope, if a proposal is made, that the government will very seriously consider its provisions before they undertake to go into a scheme of this kind. I am not a believer in state-owned telegraph lines or cable lines. In England, the government have, as a great many people think, unwisely taken possession of the telegraph business, and it would not be unnatural that they should wish to have a cable to connect their land lines with; but heretofore in Canada we have not gone in for state telegraph lines, and I hope that we shall not do so. If there were to be another cable laid and owned by the state, I respectfully submit that one laid by the route indicated would not be a desirable one. There are already several cables laid directly from the Old Country to Newfoundland and Canada. It is not necessary to go through the United States at all, and it does seem to me that, inasmuch as private enterprise has never thought the attractions of the round about route by the Faroe Islands and Greenland were sufficiently great to induce them to lay cables that way, there is no reason why the government should do it; the presumption is the other way. If the cable is to be laid, it would be better to lay it from Ireland or the south of England to either Newfoundland or Canada. There is no reason why we should have a state-owned cable at all, but if we have to have one, I respectfully submit we had better follow the example of business corporations and have a cable direct from the United Kingdom to Canada.

Hon. Sir MACKENZIE BOWELL—Has not the hon. gentleman fallen into error in saying that Canada has not heretofore gone in for state-owned cables? Are we not responsible for a portion of the cost and maintenance of the Pacific cable?

Hon. Mr. POWER—I am very much obliged to the hon. gentleman for calling my attention to the Pacific cable. I had not forgotten that, but I thought it just as well to say nothing about it. Our going into that Pacific cable business was one of the most injudicious steps the government of Canada have ever taken. That cable is of considerable value I suppose to England, and perhaps to Australia, but I am not aware that it has ever been of any material advantage to Canada. This country pays as much as the Australasian colonies do, and I assume if a state cable betwen Canada and the United Kingdom were gone on with that Canada would be expected to pay half the cost, which I think would be exceedingly unfair.

Hon. Sir MACKENZIE BOWELL—That would be a matter of negotiation.

THE DRY DOCK AT QUEBEC.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the House do now adjourn.

Hon. Mr. CHOQUETTE—I should like, before the motion is put, to call the attention of the government to an article which appeared in this morning's 'Citizen,' giving the opinion of Mr. Andrew Allan on the subject of the graving dock at Quebec. The article is as follows:—

DOCK PLAN NOT DEAD.

Mr. Andrew Allan on the Levis Dry Dock Project.

Montreal, Nov. 29.—The story that has been about the street to the effect that the recently formed Dominion Dry Dock Company has abandoned its plans is given a denial by Mr. Andred Allan, president of the new company.

In August the company was formed with a directorate made up of representatives of the various shipping firms and it was decided to secure a site opposite Quebec and there to establish a modern dry dock capable of containing the largest ships which might come to the St. Lawrence. Lately it has been rumoured that for want of capital the whole thing will have to be given over.

'There is nothing being done at present.' Mr. Allan said, 'but I expect that the thing will come to life again at any time. Of course you cannot build a dry dock without money any easier than you can build a house, and while we had $800,000 subscribed by the big shipping interests, this was not enough to go on with and there has been no effort made to get more money.'

Although Mr. Allan could not say what the enterprise would cost, shipping men suggest that anywhere from two and a half to five million dollars will be needed for the work.

'I want a dry dock in Montreal and I will be overjoyed to see one here,' said Mr. Allan. 'But the shipping interests must have one in Quebec. Until some disaster, involving the loss of millions of dollars occurs the need for a proper dock will never be borne home to the people.'

'I do not know what will be done with the affairs of the Dominion Dry Dock Company,' Mr. Allan said. 'For the present they are dead, but they will have to come to life again.

In view of this most important declaration by Mr. Allan, and which has been made by other people as well, that a dry dock should be constructed at Quebec for the present, and that although a large sum of money has already been subscribed, there has not been enough furnished to carry out the project, I think the government ought to make an appropriation for the purpose of carrying on the work. A dry dock at Quebec is needed at once. It is necessary, not only for Quebec, but for the whole Dominion, and, as a good Liberal, I may perhaps add, in the interest of the government. I am sure that the people will sustain the government if they undertake the construction of the work without delay. They might, in the meantime, lay aside some other undertakings which are not as necessary. We have the statement made on the authority of a man of large experience that a dry dock should be constructed at Quebec before some disaster occurs involving the loss of millions. I agree entirely with Mr. Allan on that point, but towards the close of the interview he expresses an opinion with which I cannot agree. He says:—

'When the jealousies between Quebec and Montreal are settled then shipping conditions on the St. Lawrence will have a better chance to thrive,' Mr. Allan added.

On behalf of the city and district of Quebec and the public men of that part of Canada, I protest against the charge that Quebec is jealous of Montreal. So far from that being the case, we have favoured the great expenditures at Montreal as something needed in the interest of the country. Quebec has not kicked because the government have spent millions on Montreal harbour, and to deepen the mud channel between Quebec and Montreal. If it should be made possible to take the largest ships up to Montreal, Quebec will bear no grudge, because those vessels will have to stop at Quebec all the same. I wish people would cease making the unfounded charge against Quebec that we are jealous of Montreal. The lion's share has been given to Montreal, and Quebec has never blamed the government for that; we hope now that the government will turn their attention to Quebec, and in the interest of the entire Dominion construct a dry dock there before some disaster occurs which will cost millions to the country. The government should appropriate a sufficient sum of money without delay to begin the work. We should have a dry dock large enough to accommodate the largest vessels that are likely to use the St. Lawrence route. So once more I enter my protest against the remark of Mr. Allan, and I hope that some public men of Montreal will declare that there is no jealousy between Montreal and Quebec, in order that both cities may work in harmony in the interests of the country, and especially in regard to the great dry dock question.

Rt. Hon. Sir RICHARD CARTWRIGHT —The government are fully and keenly alive to the great desirability of providing docks of sufficient capacity to accommodate the great number of very large vessels that are now seeking the trade of the St. Lawrence. The matter is engaging their earnest attention. What particular method they will finally decide upon I am not in a position to say. The House no doubt is aware that Acts have recently been passed under which very large amounts are permitted to be expended, under government guarantee, in the construction of these docks. I think we have gone to as high a limit as four or five million dollars.

Hon. Mr. POWER—Four millions.

Hon. Mr. CHOQUETTE—The government have guaranteed the interest on that amount.

Rt. Hon. Sir RICHARD CARTWRIGHT —On which we guarantee interest for a period, if my memory is not at fault, of 35 years, at three and a half per cent, and I should hope that with a bonus of this kind there would be no very great difficulty after all in getting docks of the

requisite capacity constructed. As regards the advances to the city of Montreal. I may remind my hon. friend that interest is charged and duly paid on all the advances that have been made to that city, and the shipping and the country are subjected to a very considerable tax for the purpose of providing it. I can assure the hon. gentleman that the government are not likely to be in the least indifferent to the speedy construction of these works.

Hon. Mr. DANDURAND—I may tell the hon. gentleman, when he speaks of prejudices existing perhaps in Montreal against Quebec, that I was very glad as a Montrealer to see that all the shipping interests of Montreal agreed that if there should be but one dry-dock, it should be at Levis or Quebec; we all concur in that. Now, as the inland navigation terminates in Montreal, and is much larger than the ocean navigation, the Harbour Commissioners of Montreal think that there should be a dry-dock there also. The question of its capacity is another matter; but we are all agreed throughout the country that Levis should have a dry-dock.

Hon. Mr. CHOQUETTE—I may perhaps be at liberty to add one word in answer to my right hon. friend. The very fact of the government guaranteeing the interest on several million dollars for the construction of a dock by a private company, and the fact that they have not succeeded so far, and that Mr. Allen has himself said that the company is now practically dead, shows the necessity for the government undertaking the work themselves, because it is practically impossible for a company to undertake it. The very fact that the company have not been able to succeed so far, after negotiations and after many hundreds of thousands of dollars have been subscribed, must prove the necessity of the government taking up the project as a public work, and building the dry-dock themselves.

Hon. Mr. ELLIS—I will not discuss this question further than to observe that the right hon. leader of the House makes the remark solely from the point of view of the St. Lawrence, that the dry-dock should be there. I might say that the general belief at St. John—a belief largely founded upon observations made from time to time in government papers—is that a dock is to be built at St. John, the only place in the maritime provinces or any province of eastern Canada which can be reached at all seasons of the year. While I have no objection to docks at Quebec or Montreal, it would be far better, if the government are going to put capital into a dry-dock, that it should be at a port which is open all the year round, inasmuch as large Canadian steamers now come to St. John. I do not say this with any idea to disparage Halifax, which is an excellent port, and might well expect to have a dry-dock; but for the real purposes of the country the dry-dock should be at St. John, and it is understood in that city that the government will shortly begin the construction of a dry-dock.

Hon. Mr. CHOQUETTE—They should begin at Quebec first.

Hon. Mr. ROSS (Halifax)—We have a dry-dock at Halifax which has been of great service for a long number of years with a very small subsidy, and it is the intention of the company who built it to have it enlarged so that it will be able to accommodate such steamers as are now being built and which may in the future be built. I think it is too much to expect the government to build the dry-dock. They may encourage a company to do it. It is also too much to expect to have a dry-dock in Montreal and another in Quebec. Quebec is the proper place for it. That is where it should be built, and then the steamers would come from Quebec to Montreal in a good condition. Montreal is very well favoured now.

Hon. Mr. TESSIER—Too much so.

Hon. Mr. ROSS (Halifax)—With the amount of shipping done every year, they should be modest enough not to ask for a dry-dock but give it to Quebec.

Hon. Sir MACKENZIE BOWELL—This is an important subject, and every one who has paid the slightest attention to the growing commerce of the country will join in the desire to see that proper accommoda-

tion is provided for shipping in order to save the expense which might be occasioned by wrecks or injuries to vessels. But there was one very important reason advanced by my hon. friend who introduced this subject which the right hon. the minister leading this House overlooked. Among the other important reasons advanced for the construction of a dry-dock or the expenditure of some five million dollars in the city of Quebec in the construction of a dry-dock there, was that it would be in the interests of the Liberal party. That is an unanswerable reason. When we look at the Public Accounts and see the enormous amounts that are expended in different localities in the whole Dominion, many are led to believe that the reason for that expenditure was that given by my hon. friend, and if the Liberal party is to be benefited by the expenditure of four or five million in order to retain support from Quebec, I have no doubt my hon. friend and his colleagues will take the matter seriously into their consideration.

Hon. Mr. CLORAN—Coming from Montreal, and in answer to the request of the hon. gentleman who has brought this matter before the House—and I think judiciously and properly so—I can tell him that Montreal is in no sense whatever jealous of the position of Quebec. In fact, the more Quebec progresses the more Montreal will progress also. I for one, as representing that division, have no objection whatever to the building of a dry-dock in Quebec by private capital or under government construction. On the contrary, I think it is the only fit place for a very large dry-dock. If disasters are to happen of any serious consequence, they will happen in the Gulf, and in the dangerous parts of the St. Lawrence when ships arriving at Quebec will need to go into dry-dock for repairs. I cannot foresee any grave disaster that will happen to vessels sailing up from Quebec to Montreal. They have to travel slowly. They are under every guidance of light and of marine protection, and there is very little danger of what is called a disaster happening to any of these large vessels—none whatever if there is the slightest care taken of them. Take the Richelieu Navigation Company, which has been running very large steamers for the past fifty or sixty years and longer, in the most dangerous time, at night, dark and stormy nights, and they have never had what we would call a disaster. They may have had a wheel broken by a log running the river. They may have had some other little accident happen to them, but there has never been what one would call a disaster happen to these vessels and they have been running under the greatest disadvantages. Steamers coming to Montreal have, only up to the last year or two, travelled in daylight. Formerly they never travelled at night, but owing to the protection afforded by improvements in the channel, the light service and the marine protection, they are able to travel at night, especially moonlight nights. So that as far as I can see, no serious disaster will happen to large vessels coming from Quebec to Montreal, and consequently no large dry-dock is needed in Montreal. It is, therefore, unnecessary for the government to spend money there. As the hon. gentleman from De Lorimier (Mr. Dandurand) has stated, a dry-dock may be necessary for inland navigation, for vessels coming down the rapids, and coming up from the maritime provinces, small boats 150 to 400 feet long, I say a dry-dock in Montreal to accommodate inland vessels might be necessary, and perhaps is necessary, but not a huge dry-dock that will cost anywhere from two to six million dollars. That dock should be placed in Quebec where vessels can reach it. The matter which has been brought to the attention of the House by the hon. gentleman from Grandville (Mr. Choquette) is one that, as the right hon. leader of the House has said, will receive and has received the careful attention of the government, but as a representative of Montreal and a friend of the government I advise them strongly not to entertain for one minute the proposition to build a huge dry-dock in Montreal, but to build it at Quebec.

Hon. Mr. JONES—It is interesting to members of the House other than those who live in Montreal, Quebec and vicinity, to know that these two growing cities in the east are not jealous of each other, because some of us have had the impression

that they were, judging from what we have seen and heard, and we are glad to feel that no jealousy will interfere with the growth of these cities. The House will recognize that the matter of first importance is a dry-dock somewhere in the east to care for the Atlantic situation, and in the west to care for the Pacific situation. It is a surprise to me to hear the hon. gentleman from Montreal suggest that, doubtless in connection with that feature of our shipping, it would be desirable to consider what should be done in Montreal to care for the dry-docking of the inland shipping. Surely that would naturally come to a city like Toronto for instance, the centre of the lake and river system, rather than at the extreme end and below the rapids where the inland navigation is so small compared with what it is in the upper lakes. It is only necessary to mention that to appeal to the House that in the matter of a dry-dock for inland repairing of ships, it should surely be at Toronto or that vicinity.

Hon. Mr. CLORAN—We have no objection.

Hon. Mr. JONES—Toronto is in the right place, and I am not suggesting that for any political reason, but for the interest of Canada, and therefore in the interests of the government.

Hon. Mr. GIBSON—There has been a dry-dock at Port Dalhousie ever since the Welland canal was built, for taking care of the vessels passing up Lake Ontario and through Lake Erie. I do not know what claim Toronto would have, because there is a dry-dock already at Port Dalhousie.

Hon. Sir GEORGE ROSS (Middlesex)—That is miles away.

Hon. Mr. GIBSON—The Welland canal could be made larger without much expense, and I am sure my hon. friend from Toronto would naturally give way in favour of a more desirable place at the mouth of the Welland canal.

Hon. Mr. KIRCHHOFFER—I have listened with pleasure and attention to the remarks made by gentlemen who are imbued with the idea that if a dry-dock is to be built it must be located at Montreal, Quebec or Toronto. I speak for a far larger constituency than any of these places. I want to tell hon. gentlemen that I see the government advocating and promising that they are going to have water communication all the way up to Edmonton before they get through. I represent a constituency which is situated on one of the finest waterways there is in the whole of the Northwest, the Assiniboine river, and in connection with that waterway which the government proposes to improve through to Edmonton, we could make a very good connection by digging a canal of not more than 180 miles between the Assiniboine river and the North Saskatchewan which would enable us to connect with all the west and east as well, and I think Brandon is the proper place to have a dry-dock, which would be useful not only to the east but also to the west.

Hon. Mr. CASGRAIN—The hon. gentleman from Grandville, in bringing this matter before the Senate, might realize for one moment that the location of the dry-dock is not absolutely in the hands of the government. Far from it. The law passed last year provides that the government shall, by way of subsidy to any company that shall build a suitable dry-dock, guarantee interest at the rate of three and half per cent on the amount ranging from one and a half up to four and a half million. But surely the gentlemen undertaking this commercial enterprise must be the people to decide where it is most advantageous for them to establish their works. I understood, for instance, some of the shipping men to say that at Levis a graving dock of a permanent nature—that is a masonry graving dock—should be built. The time required for the construction of such a dock would be four or five years. I have always contended that these masonry graving docks were obsolete. All the new docks being built are floating docks, and these floating docks can be moved from one place to another. In fact, a graving dock has been towed from England to Durban, several thousand miles. Another graving dock was towed from the United States to the Philippine Islands. It

was proposed that a permanent masonry graving dock should be built at Levis. I think it would be a poor policy for the government to countenance the building of these obsolete docks. The government should insist on giving the subsidy only to those who will agree to build floating docks, which I understand do not cost more than 25 to 30 per cent of the amount required for the masonry graving docks, and are equally efficient. Those floating graving docks are simply like the letter 'U' in shape and open at both ends, so that even if the dock is only 500 or 600 feet long, it can accommodate a much larger ship, because the ship can be handled at both ends. The advantage of the floating dock is that not one ton of water more is pumped out to float and lift the ship than is actually necessary for her displacement. The water is allowed to enter these floating docks and they are sunk to the draft of the incoming ship. Then the ship is moved inside the dock, pumping is immediately started and the pressure commences, and shortly the ship is lifted out of the water and only the water absolutely necessary for the displacement of the ship is pumped. The pumping out of the dock is one great item of expense in working the ordinary masonry dock. Be the ship ever so small, the whole dock must be emptied in order that the vessel may be high and dry. One can readily see the advantage of the floating dock. Then in regard to the cost of these floating graving docks, I should like to give the Minister of Trade and Commerce a word of warning. I have heard the prices that some gentlemen who intend to build these floating docks are asking for their construction. I have figured out what it would cost per ton, and their prices are away up in the air, in my humble opinion. One of these floating docks is simply a huge steel box. They give as an excuse that these graving docks, having to be in water that freezes over in winter, require to be very strong. I have consulted some experts on the subject, and they are not of the opinion that that should very materially increase the cost of these docks. So that before entering into a subsidy contract with any company or syndicate, it would be well for the government to inquire elsewhere as to what the cost would be. These docks are to be found in all parts of the world. There is an immense dock at Bermuda. Another question which was before the government at the time the law was passed was whether the government could pay a subsidy for a dock which would not be of a permanent nature. Some great contractors thought it was necessary for the government to build a masonry dock. They said that a floating dock, being made of steel, would not be a permanent structure, but a dock at Quebec or Montreal resting in fresh water, if properly painted, would resist the action of rust for a great number of years, perhaps a great deal more than the time for which the subsidy would be granted, a period of thirty-five or forty years. The idea was that one of these floating docks would be built and towed to Montreal. The excuse for putting a dock at Montreal was to provide one within two years which could be used pending the construction of the one at Lévis, which might occupy five years. Should an accident take place below Quebec the floating dock could be towed easily, much more readily than an ordinary timber raft, and sunk where the ship was and towed back to Montreal or wherever the dock might be located. I want to make it clear that the government would have very little to say as to the location. Whatever Sir Hugh Allan or Mr. Andrew Allan may say about rivalry between Quebec and Montreal, or the government interfering, is of very little moment at the present time, since whoever builds the dock will have the right to decide where it shall be located. It is a business matter. The company will secure the necessary water lot and the land on the shore where all the workshops will be established before going to the government. Then they will ask the government if they will accept the location, and the government must either accept or reject it.

Hon. Mr. CHOQUETTE—The hon. gentleman's remarks do not apply to the point I have raised. I am asking the government to build the dry-dock themselves. The hon. gentleman says it would

take four or five years to build the dock at Lévis; that is all the greater reason why the work should be undertaken as soon as possible. The sooner the government start to work the better in the public interest.

Hon. Mr. DANDURAND—The hon. gentleman knows very well that for the past ten or fifteen years the Dry Dock Subsidy Act has been amended, and the subsidy has been increased three or four times in order to attract private capital to undertake such enterprises. The last sacrifice the government was ready to make by the Act as amended last year seems not to be large enough to tempt capitalists to build at even St. John, N.B., or Lévis. I may say to my hon. friend from Toronto that when I spoke of vessels engaged in our inland navigation coming to Montreal, it was with a view to explaining that there is at that point a junction of inland and ocean-going navigation. Vessels of ten or twelve thousand tons, and even as large as fifteen thousand tons, can reach that point. I was simply explaining why the Montreal Harbour Commissioners had decided to put a dry-dock there, because considerable tonnage was coming there from both directions. When a boat is damaged, every effort is made to reach the point of destination where its cargo is to be unloaded. I think the hon. gentleman from Grandville and I will live to see two dry-docks on the St. Lawrence, perhaps also one at St. John, with the Halifax dock enlarged, and we will realize then that very many boats which may be injured below Quebec will manage to reach the Montreal dry-dock, because their cargoes will be destined for that place.

Hon. Mr. LANDRY—The hon. gentleman says that the amount which the government are prepared to guarantee for the construction of these floating docks has been increased for the purpose of tempting private capital. Why has private capital not been secured for such works?

Hon. Mr. DANDURAND—I based my answer on second-hand information but which I believe to be correct; the necessary capital has been about provided for the Levis dry-dock by a subscription of four million dollars, on which the government will pay interest at three and a half per cent for thirty-five years. I understand from despatches which have appeared in the press of Quebec and Montreal that the only point of difference is, where those bonds, when placed on the market, will be sold at less than par, a demand has been made, as I see by a despatch in the press, that the government should allow the interest to be reckoned on bonds which will bring four million dollars net. So it seems to me that the syndicate that is handling the Levis proposition has very nearly reached the point of success.

Hon. Mr. CHOQUETTE—Suppose, after increasing the amount of the subsidy and guaranteeing interest, the government cannot induce capitalists to undertake the building of these dry-docks, are the government prepared to undertake the construction of these works, or shall we have no dry-dock at all? That is the question. The dry-dock is an absolute necessity, and if private capital cannot be found to undertake its construction the government must build it.

Hon. Mr. POWER—I have the honour to direct attention to the fact that there is nothing before the House.

THE WORK OF THE SESSION.

Hon. Mr. DANDURAND—On the motion to adjourn, I wish to say a few words on a subject that has been taken up by the press in connection with our adjournment over the holidays. Attention is called to the fact that the Senate is forced to adjourn earlier than it otherwise would do because it has no work before it. I should like, before we separate, to ask my hon. fellow colleagues, if, when we return here, the question should not be considered of moving for the appointment of a joint committee of both Houses to ascertain if a better division could not be made of the sessional work between the two Houses. If this House should be of that opinion, I would again put forward a suggestion to modify the procedure of the two Houses in order to give the Senate a much larger initiative in public business. I know that the hon. gentleman from Middlesex has expressed his dissent from the remedy which I have proposed, but with the permission of the House, I shall repeat my

suggestion in order that my hon. friends may give it due consideration during recess. I have had occasion to say that there is but one other parliamentary body in the world, and that is the parliament of the United Kingdom, where the members of the cabinet sitting in one House are prevented from appearing in the other House. If, by a conference with the House of Commons, we should decide to give the members of the government the right to appear in both Chambers, many public Bills might be initiated in this Chamber. Very often important discussions block the work of the House of Commons for weeks at a time. The result is that no work is advanced in that House, because of discussions wherein very often dozens of members address themselves to their constituents without regard to arguments which have been repeated over and over again in the debate. It has often struck me that important Bills emanating from the departments, the heads of which sit in the other Chamber, could have been brought before the Senate on such occasions if the ministers in charge of them had been allowed to appear before the Senate—without the right to vote, of course, but with the right of introducing and explaining the Bill. While very stale and tiresome discussions are going on in the House of Commons, important measures might be initiated here. We have often remarked that during certain sessions no very important legislation was initiated in the Senate, and no particular attention was given by the public at large to our work. The reason was obvious. The fruit had been pressed dry in the Lower House, and when it came to the Senate it had ceased to interest the public. If ministers who sit in the other House had the right to appear in this Chamber and initiate their Bills for discussion in the Senate, and our committees could deal with them seriously, as our committees always handle business, the public business would be greatly advanced. If it should be deemed proper to appoint a joint committee of the two Houses for the purpose of devising a better mode of distributing the work of the session, I shall be glad to appear before that committee and advocate the plan which I am now suggesting. Before resuming my seat I should like to explain, since the public do not appear to know the fact, why we must necessarily work shorter hours and a less number of days than the House of Commons under any circumstances. The Supply Bill is voted in detail in the House of Commons, occupying the attention of that Chamber for nearly two months of each session. That work, which occupies so much time in the Commons, is passed here the last day of the session in two or three minutes.

Rt. Hon. Sir RICHARD CARTWRIGHT —I shall have pleasure in calling the attention of my colleagues to my hon. friend's suggestion, but he will not expect me to offer an opinion on the subject now. I might remind him that I suggested some years ago that certain classes of legislation should be initiated in this Chamber, and I shall bring that suggestion up again in connection with his.

Hon. Sir GEORGE ROSS (Middlesex)—I should like when the hon. member introduces this question and brings it before a joint committee of the two Houses to consider another phase of the question, namely that the government instead of being represented by one or two ministers in the Senate, should be represented by a considerable number. The rule in England is that nearly half of the Cabinet is in the House of Lords, and large measures can therefore be initiated in that chamber. In Canada since confederation the practice has been to give the House of Commons all but one or two of the ministers. Without speaking unkindly, I may say it is scarcely courteous to this House that there should be such an unbalanced division of Cabinet representation between the two Houses. Speaking in advance of any decision which may be arrived at, I should prefer, instead of ministers coming from the Commons to this House to present their views, that ministers should be members of the Senate and present their views with all the influence that their standing as members of this body would command. I am aware that the practice which has been suggested by the hon. member from De Lorimier prevails in the French and Italian parliaments, but we could follow the British system with equal benefit to the House and govern-

ment and expidite the public business. However, as the matter is to be the subject of a conference, I am merely submitting my view.

Rt. Hon. Sir RICHARD CARTWRIGHT —In England there exists a custom which might be advantageously followed here—that every great department has at least two representatives.

Hon. Sir GEORGE ROSS (Middlesex)—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT —And in consequence it is possible for every department to be represented both in the Upper and in the Lower Chamber. It would expedite the public business but it would involve the creation of a number of Parliamentary Under Secretaries.

THE EXPERIMENTAL FARM AT QUEBEC.

Hon. Mr. LANDRY—I should like to inquire if there is any truth in the rumour that the government has secured in the Parish of Cap Rouge, Quebec county, a farm known as the Stadacona farm?

Rt. Hon. Sir RICHARD CARTWRIGHT —I must ask the hon. gentleman to give notice of his question. I am not in possession of any information about it at present.

Hon. Mr. LANDRY—That means that the thing has not been done?

Rt. Hon. Sir RICHARD CARTWRIGHT —It means that I have no information about it.

Hon. Mr. DANDURAND—Is it for an experimental farm?

Hon. Mr. LANDRY—Yes.

Hon. Mr. DANDURAND—Was not that question put a week or so ago?

Hon. Mr. LANDRY—Since that question was put the papers have announced that the government have secured a farm from the Langelier estate, in the county of Quebec, at a price of $50,000. I was only asking if that statement is true.

Rt. Hon. Sir RICHARD CARTWRIGHT —If the hon. gentleman will give notice of the question I will get the information for him as soon as possible.

Hon. Mr. LANDRY—If I give notice today will the hon. gentleman furnish the information to-morrow?

Rt. Hon. Sir RICHARD CARTWRIGHT —I will try and get it as soon as I can.

The Motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, December 1, 1910.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

A BEACH LOT IN CHICOUTIMI.

INQUIRY.

Hon. Mr. BAIRD, in the absence of Hon. Mr. Choquette, inquired of the government:

How much did Mr. L. G. Belley, of Chicoutimi, advocate, and ex-M.P. for that county, receive from the government for the beach lot which he granted it in order to build thereon a wharf at that place?

Rt. Hon. Sir RICHARD CARTWRIGHT—No beach lot purchased at Chicoutimi by the government from Mr. L. G. Belley.

THE EXERIMENTAL FARM AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY rose to inquire of the government:

1. Has the government acquired from the estate of Chrysostome Langelier the Stadacona farm, in the parish of St. Felix du Cap Rouge, in order to make an experimental farm of it?
2. At what price?

Rt. Hon. Sir RICHARD CARTWRIGHT—I would ask my hon. friend to let that inquiry stand. I sent over for an answer but have not yet received it.

Hon. Mr. LANDRY—I suppose we will get it before the House adjourns.

Rt. Hon. Sir RICHARD CARTWRIGHT—I doubt, unless you rescind yesterday's order.

Hon. Mr. LANDRY—It is a pity that we cannot get the business of the country done in this House.

OPEN PORTS IN THE MARITIME PROVINCES.

Hon. Mr. ROSS (Halifax)—There being nothing particular before the House, I want to bring to the notice of the Senate a very strange statement made by my hon. friend from St. John (Hon. Mr. Ellis). He says that St. John is 'the only place in the maritime provinces, or any province of eastern Canada which can be reached at all seasons of the year.' Where are the ports of Yarmouth, Lunenburg, Halifax, Country Harbour, Louisbourg and Arichat? That statement should not have been made. My hearing is not as good as it used to be forty years ago; otherwise I would have contradicted the statement at the moment.

Hon. Mr. ELLIS—All I need say in explanation is that I was referring to the best harbour.

THE DIVORCE COMMITTEE.

FIRST REPORT ADOPTED.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their first report as follows:

Your committee recommend that the quorum of the committee be reduced to three members for all purposes, including the taking of evidence upon oath as to all matters set forth in the petitions for Bills of divorce, except that, when a petition for a Bill of divorce is contested, five members shall constitute a quorum for the purposes of reporting to the Senate the conclusions arrived at and the actions recommended by the committee.

Hon. Mr. YOUNG—I would ask the chairman of the committee if he considers it wise to take power to sit during recess should it become necessary?

Hon. Mr. DERBYSHIRE—The committee would not do any business when there was nobody else in attendance here.

The report was adopted.

VACANCIES IN THE SENATE.

Hon. Sir MACKENZIE BOWELL—Before the House adjourns, I would remind the right hon. leader of the government that there are three vacancies in the Senate, one in the representation from Quebec, one in Nova Scotia and one in Prince Edward Island. Have the government taken any steps to fill those vacancies? If he does not object to hearing advice from one outside of the cabinet, I would suggest the propriety and advisability of finding gentlemen who are not members of the House of Commons to fill the vacancies. It is not only the proper course, but it would relieve the government of the necessity of opening constituencies, and I should think they would feel disinclined, in view of recent events, to bring on by-elections. The three seats in this House have been vacant for some time, and probably the right. hon. gentleman can inform us if it is the intention of the government to fill them without further delay?

Rt. Hon. Sir RICHARD CARTWRIGHT—I thank my hon. friend for his suggestion, which deserves the very serious consideration of the government and will receive it. I think I may venture to say that the government will not trouble the Commons just at present. Touching the other point, the matter is under consideration of the government, and we hope to speedily fill the places that are unfortunately vacant.

Hon. Sir MACKENZIE BOWELL—A very satisfactory answer.

The Senate adjourned until Wednesday, the 11th of January next, at three o'clock.

THE SENATE.

WEDNESDAY, January 11, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine proceedings.

THE STADACONA FARM.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government acquired from the estate of Chrysostome Langelier, the Stadacona farm in the parish of St. Felix du Cap Rouge, in order to make an experimental farm of it?
2. At what price?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are, to the first question, yes.

To the second, $45,000, including the implements and all other movable property on the farm, with the exception of the live stock and the furniture in the house.

THE INTERCOLONIAL RAILWAY COMMISSION.

INQUIRIES.

Hon. Mr. LANDRY:

1. Is the Intercolonial railway now under the direction of a special commission?
2. Who are the members who form this commission, and from what province do they come?
3. What is their salary?
4. Who is the secretary of this commission?
5. What is his salary?
6. Where does this commission ordinarily sit?
7. Where does it keep its offices?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follows:

1. The Intercolonial railway is under the direction of the Government Railways Managing Board.

2. The members of the board, are: A. W. Campbell, Ontario, Chairman, receives no salary; David Pottinger, New Brunswick, assistant chairman, $7,000 a year; F. P. Brady, Ontario, superintendent of operation, $6,000 a year; E. Tiffin, Ontario, superintendent of traffic, $6,000 a year; J. B. T. Caron, Quebec, member, $6,000 a year.

3. Answered by number two.

4. Thomas Evans, acting secretary. Mr. Evans is chief clerk in head office of the Intercolonial, at Moncton, and receives a salary of $1,800 a year; does not receive any remuneration for his services as acting secretary to the board.

5. Answered by number four.

6. Moncton generally, and an occasional meeting at Montreal.

7. Moncton.

Hon. Mr. LANDRY inquired:

1. What provinces does the Intercolonial railway cross?
2. What is the length of that railway, distinguishing the main line from its branches?
3. In what proportion and for what number of miles does each province figure in the total length of the Intercolonial railway?
4. Is not the part of the province of Quebec which the Intercolonial railway crosses exclusively, or quasi exclusively, peopled by a French population?
5. Is there on the Intercolonial Railway Commission a man understanding French perfectly and able to concern himself more specially with the complaints and the claims arising in that part of the province which the government railway crosses?
6. Who is that man?
7. If the government has not yet chosen one, when does it propose to do so?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies to the hon. gentleman's questions are as follow:

1. The Intercolonial Railway crosses the provinces of Nova Scotia, New Brunswick and Quebec.

2. Length of main line is 1,415·33 miles, and length of branches is 35·04 miles, a total of 1,450·37 miles.

3. Mileage subdivided in provinces is:

	Main line.	Branches.
New Brunswick..	495·08	9·61
Nova Scotia..	469·31	12·30
Quebec..	450·94	13·13
	1,415·33	35·04

4. The majority of the population is French.

5. Yes.

6. Mr. J. B. T. Caron.

7. Answered by No. 6.

DERY'S RESTAURANT AT THE IMMIGRATION BUILDINGS, QUEBEC.

INQUIRIES.

Hon. Mr. LANDRY inquired:

1. Has Mr. W. D. Scott, the Superintendent of Immigration, received from the immigration agent at Quebec, or from any other person, any complaint as to the manner in which Mr. Jacques Dery, the restaurant keeper at the immigration buildings in Quebec, keeps his restaurant?
2. Does he know that during the season of immigration last summer, officers of the immigration office and other persons complained to the immigration agent at Quebec on the subject of the insufficiency of and the bad keeping of Mr. Dery's restaurant?
3. Does he know whether the immigration agent at Quebec brought these complaints to the knowledge of the restaurant keeper, and what was the reply of the latter?
4. Does the government intend to ask its immigration agent at Quebec for a report upon the above mentioned facts?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department furnishes the following answers:

1. Yes.

2. Yes.

3. Yes.

4. The government has already received a report.

Hon. Mr. LANDRY inquired:

Have immigrants complained to the immigration agent at Quebec of the exorbitant prices which the restaurant keeper made them pay for the goods sold to them, and is it true that the restaurant keeper has had at times to return to immigrants the price of their purchases because of the bad quality of the goods sold?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department informs me that only in one case, apparently, was complaint made of an over charge. The complaint was investigated by the Dominion Immigration agent, and restitution made.

As to the second part of the question, only in one instance, evidently, was money refunded on account of food found to be uneatable. The details are contained in correspondence in the possession of the department which can be furnished in the form of a return, if desired.

THE EMPLOYMENT OF JAMES J. RILEY

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the amount that was received by Mr. James J. Riley, year by year, for his travelling and moving expenses, each time that he was called upon to act as examiner, or to make preliminary examinations, into shipping casualties?
2. What is the kind of command that he exercised, to which allusion is made in the third answer given on November 24, 1910, to an inquiry made in the Senate on that date by the honourable Mr. Landry with respect to the same James J. Riley?
3. When and where did he exercise such command and on board of what vessels?
4. What are the names of the different vessels on board of which he has exercised a real and regular command?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. In 1907-1908—Travelling expenses
re ss. 'Wandrian'.. .. .. $48 25
re ss. 'Norwalk and Jef'.. .. 61 75
$110 00
In 1910-1911—Travelling expenses
re ss. 'Roberval'.. .. .. $10 15
$120 15

Nothing paid as examiner.

2. Master.

3. Master 'Laserena' 1863-4 voyages Callao to China and return. In 1878.

4. Master 'Beatrice' of Liverpool to San Antonio Chili, 1878. Joined the Allans in 1878.

NO CHAPLAIN FOR THE 'ARCTIC.'

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Did any one ask the government or the Minister of Marine and Fisheries to appoint a chaplain on board the 'Arctic,' before the departure of that vessel for a cruise which according to the statement of the authorities is to last twenty-four months?
2. Why did the minister not make such an appointment?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department sends the following reply:

1. An application was made by a clergyman for the position of chaplain but no application was received from any of the church authorities.

2. It has not been customary to appoint a chaplain for any Arctic expedition and, therefore, the government did not make any new departure by appointing a chaplain for the 'Arctic' in 1910.

THE RIMOUSKI INSURANCE COMPANY

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Inspector of Insurance made an inspection of the books and affairs of the Rimouski Insurance Company? When?
2. Does the government know that difficulties now exist between this company and that called 'The Crown,' as consequence of certain doings of a person named Stensen, who was simultaneously agent for the two companies?
3. Does the government intend to give an order to its inspector to make a report upon these difficulties and to see to the protection of the interests of the persons insured?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Yes, on several occasions. The last inspection was made in July, 1910.

2. The government has had no official notification of the difficulties mentioned, and has no information as to the same other than such as has appeared in the public press.

3. The statement of the company for the business of 1910 is now almost due and soon after it is received another inspection of the company will be made. The depart-

ment has no reason to fear that the interests of the persons insured in the Rimouski are endangered.

TIES ON THE INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. LANDRY inquired:—

1. When does the government expect to obtain from its employees, and when does it think that it will lay upon the table of this House, the documents with regard to the sleepers of the Intercolonial railway, whose production was ordered by the Senate on May 4, 1910, upon a motion made by the honourable Mr. Landry?
2. Have the promised documents or the employees who ought to furnish them become more sleepy than the sleepers themselves?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply to this question is that the documents are too voluminous to give them in the form of a reply to an inquiry, but there will be no objection to bringing down a return if ordered by the Senate.

Hon. Mr. LANDRY—If I am not mistaken, this question was asked last year, and I think the hon. minister suggested that I should put it in the form of an order.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, an order for a return, but I do not think that was done.

Hon. Mr. LANDRY—Yes, that was done last year.

Rt. Hon. Sir RICHARD CARTWRIGHT —If the return has been ordered by the Senate, I shall see that it is obtained, but the hon. gentleman had better make sure that the order has been made, because he can move for a return at once, if the order has not been made.

Hon. Mr. LANDRY—My motion is framed in such a way that it makes it pretty sure that it was an order.

Rt. Hon. Sir RICHARD CARTWRIGHT —If an order has been made, I shall call the attention of the department to it immediately.

ORDINANCES OF THE YUKON.

Rt. Hon. Sir RICHARD CARTWRIGHT —I beg to lay on the table the Ordinances affecting the Yukon, and I give notice that at a future day, say Friday next, or Tuesday next, as may be thought convenient, I will move for the confirmation of these Ordinances. They are not long, and I suppose that will give time enough for hon. members to examine them.

Hon. Mr. LANDRY—Is it the intention of the government to have these Ordinances printed?

Rt. Hon. Sir RICHARD CARTWRIGHT —I cannot say. If the Printing Committee choose to recommend that they be printed it will be done, but I presume it will be left to them.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

THURSDAY, January 12, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

IMPORTATION OF REINDEER FROM LAPLAND.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Has the government given Dr. Grenfell any sum of money whatsoever on condition that the doctor shall import from Lapland and place on the north shore of the St. Lawrence and the Canadian Labrador, reindeer intended for transport service?
2. Has the doctor accomplished the conditions imposed?
3. Has Dr. Grenfell really placed the reindeers which he has imported upon the north shore of the St. Lawrence and in Canadian Labrador, or has he not rather placed them in the Island of Newfoundland and in the strip of land of Labrador belonging to Newfoundland?
4. Does the government intend to give a new grant for the same purpose before having assured itself that the conditions of the first subsidies have been fulfilled?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The government has given Doctor Grenfell sums of money to enable him to introduce domesticated reindeer into the Canadian Labrador.

2. Great difficulty has been experienced in procuring the reindeer and landing them at their destination, but the government is satisfied that in so far as it has been practicable Doctor Grenfell has complied with the conditions of the grant.

3. The reindeer were temporarily landed in Newfoundland. According to the last advices from Doctor Grenfell he was placing the reindeer on Meccitini island, on the north shore of the St. Lawrence.

4. Relying upon Doctor Grenfell carrying out the terms of his undertaking, the government has placed a further sum in the estimates for the present year for this purpose.

NATIONAL BATTLEFIELDS COMMISSION.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Of whom is the National Battlefields Commission of Quebec composed to-day, and where do the members of such commission reside?
2. Do they receive a salary, or are their functions gratuitous?
3. What number of them is necessary to constitute a quorum?
4. Who is the secretary of the commission and when was he appointed?
5. Was he appointed by the commission or by the government?
6. What is his salary?
7. What is the amount of money actually at the disposal of the commission?
8. Has the commission made any report whatsoever upon its operations, and to whom?

Rt. Hon. Sir RICHARD CARTWRIGHT —The secretary of the commission is procuring information. I hope to have it for the hon. gentleman shortly.

MOTION.

The Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate copies of all orders in council relating to the appointment of members of the National Battlefields Commission of the province of Quebec, as well as a statement showing the sums received by the said commission, the sources whence received, the interest thereon, the expenses incurred, the nature of such expenses, distinguishing what has been paid for the acquisition of lands, the balance in hand, and the approximate cost, with the nature of the expenses to be incurred to attain the end which the commission has proposed for itself.

Rt. Hon. Sir RICHARD CARTWRIGHT— There is no objection to the motion.

The motion was agreed to.

APPOINTMENT OF JUDGE JETTE. ADMINISTRATOR OF QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate a copy of the Order in Council appointing His Honour Judge Jetté administrator of the provnce of Quebec during the absence of Sir Pantaléon Pelletier, as well as a copy of any instruction whatsoever in connection with such appointment.

He said: This is to supplement the information that was asked for at the beginning of the session and given to me yesterday.

The motion was agreed to.

DIVISION OF CANADIAN FLEET.

INQUIRIES POSTPONED.

The notice of inquiry being called by the Hon. Mr. Landry:

1. Of how many vessels is the Canadian fleet to be composed according to the data of the British Admiralty?
2. Of what type are they to be?
3. Will this fleet be divided into two parts?
4. What will be the force, in vessels, men, and guns, of that division of the fleet which is to operate in the waters of the Pacific?
5. How many vessels, men, and guns will the division of the fleet number that is to manœuvre in the Atlantic ocean?
6. Will the 'Niobe' and the 'Rainbow' form part of this fleet as fighting units, or are they simply training ships?
7. Has the Canadian government applied to the British government to obtain from the latter the plans of the ships of war which, according to authorized statements, are to be built on our side of the Atlantic?
8. Has it obtained them?
9. If not, why?

Rt. Hon. Sir RICHARD CARTWRIGHT— I am afraid I will not be able to get all the information asked for by my hon. friend until the Minister of Marine returns. I expect he will be back in two or three days.

Hon. Mr. LANDRY—Then we shall let it stand. The hon. minister perhaps knows when the Minister of Marine will return ?

Rt, Hon. Sir RICHARD CARTWRIGHT— He is engaged at the present moment in

carrying on certain negotiations with United States officials in reference to the fisheries.

Hon. Mr. LANDRY—Let us say Thursday.

Rt. Hon. Sir RICHARD CARTWRIGHT—I hope he may be back by that time.

The inquiries were discharged and placed on the Order Paper for Thursday next.

PRODUCTION OF DOCUMENTS RE INTERCOLONIAL RAILWAY SLEEPERS.

INQUIRY POSTPONED.

The notice of inquiry being called by the Hon. Mr. Landry:

1. When does the government expect to obtain from its employees, and when does it think that it will lay upon the table of this House, the documents with regard to the sleepers of the Intercolonial railway, whose production was ordered by the Senate on the 4th May, 1910, upon a motion made by the Honourable Mr. Landry?
2. Have the promised documents or the employees who ought to furnish them become more sleepy than the sleepers themselves?

He said: I want to call attention to an order given on the 4th May, 1910, to be found at page 469 of our Minutes: 'On motion of the Hon. Mr. Landry, seconded by the Hon. Sir Mackenzie Bowell, that an order of the House be issued for the following information, &c.' It was given as an order.

Rt. Hon. Sir RICHARD CARTWRIGHT—Precisely. I have called the attention of the officials of the Railway Department to the fact. They had previously been under the impression that it was only a question. They had no business to be under any such impression. The hon. gentleman is perfectly right. It is an order for a return. I will call their attention to the fact. It will take a little time to prepare. I am sorry to say they have not the information ready, but I will keep their attention directed to it. We might postpone this motion till this day fortnight.

Hon. Mr. LANDRY—Very well.

The order of the day was postponed accordingly.

Hon. Sir RICHARD CARTWRIGHT.

THE QUEBEC CUSTOMS HOUSE.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Has the government received from the Quebec Board of Trade a request to reconsider the decision which it had taken to rebuild the new Quebec custom house on the foundations of the old one?
2. Has the Quebec Board of Trade in support of its request advanced sufficiently strong reasons in the public interest to induce the government to grant the conclusions of its request?
3. If the government acquiesces in the desires of the city of Quebec, where will the new custom house be placed?

Rt. Hon. Sir RICHARD CARTWRIGHT.—The reply is as follows: to question

1. Yes.
2. No.
3. Answered by number 2.

THE COST OF THE SENATE.

MOTION.

A message was received from the House of Commons requesting a statement showing the cost of the Senate for each year since 1896 under the headings, Number of Senators, Indemnity, Travelling expenses, Printing, Staff, and Contingencies.

Hon. Mr. LANDRY—We might reciprocate.

Hon. Mr. POWER—In order that the members of this House should have time to consider the message, I move that the document be laid on the table.

Rt. Hon. Sir RICHARD CARTWRIGHT—Until when?

Hon. Mr. POWER—We can bring it up at any time.

The motion was agreed to.

THE DECENNIAL CENSUS IN QUEBEC.

Hon. Mr. LANDRY—Before the Orders of the Day are proceeded with I should like to call the attention of this House to an article in the Toronto 'News' of the 10th inst., reflecting on the province of Quebec. I will not read the whole of it, but only the headings and the first paragraph, which are as follow:

FIGURES SHOW THAT CENSUS OF QUEBEC WAS LOADED.

Basis of Representation There is Smallest in Dominion of Canada.

Startling Statistics.

One of the Greatest Political Duties of Canadians is to Watch the Census.

Staff Correspondence.

Ottawa, Jan. 9.—Some months ago Bishop Fallon, of London, had a conversation with Hon. Mr. Hanna, which has become famous. It was a private conversation; it was made public owing to unexpected circumstances. In it Bishop Fallon incidentally remarked that the census of 1901 had been stuffed so far as Quebec was concerned. Bishop Fallon has spent the greater portion of his life in ecclesiastical circles in Ottawa, in an institution where French and English-speaking Canadians meet; it is likely that he knows as much of French Canadian ecclesiastical opinion as any English-speaking person is likely to know. And he made his observation in a confidential conversation.

Quebec Runs the Show.

This suspicion that the Quebec census was unfairly taken naturally is difficult to prove. A document has just been issued, however, which throws a light on the situation. It is prepared by the Clerk of the Crown in Chancery, Mr. J. G. Foley, and is entitled 'Resumé of General Election, 1908, and By-Elections to January 1, 1911.' It simply gives for each constituency, where practicable, the number of voters on the list, the votes polled, the votes for the several parties and the majorities. It must be observed in passing that the return by classifying all voters as either Conservative or Liberal does occasional injustices. For example, it describes Mr. Verville as a Liberal, and in Drummond and Arthabaska it classifies Mr. DeCourval, who ran as an Independent Liberal against Mr. Louis Lavergne in 1908, as a Conservative, and Mr. Gilbert, the Nationalist candidate of 1910, also is set down as a Conservative. This, however, is aside; the main point of interest is its massing of the figures as to the electorate.

The writer draws the conclusion that the figures must have been loaded for the province of Quebec, but he forgets two things: first we have not manhood suffrage in the province of Quebec. A voter in our province must have property assessed at not less than $200 in the country and $300 in the city, or must lease property for which he pays at least $30 in the city and $20 in the country. It is not fair to compare the numbers of persons on the voters' lists, when the qualifications for voters are not the same in the two provinces. Now what is to be said as to the number of children under 21 years of age, because a man cannot vote until he attains his majority? We claim in our province, that we have more than one or two children to the family. It is our pride and boast that we have families of 20 and even 30 children. All or most of those persons do not appear on the voters' list, but they do appear in the census returns. If the basis of the writer's argument is not sound, the conclusions drawn from it must be incorrect. I just point out those two considerations to the Senate to show that the article from which I have quoted is not justified, and for that reason I think it my duty as a representative of the province of Quebec to protest against the article in the 'News' and against the spirit which prompted it. As to Bishop Fallon, what has he to say on a question of that kind? He has not a single child himself—he is not an expert in the matter, and nobody should attach any importance to his confidential conversations, especially when they convey accusations which cannot be proved.

Rt. Hon. Sir RICHARD CARTWRIGHT—I shall call the attention of the minister in charge of the census to my hon. friend's remarks, though he, perhaps, may not be considered an expert either.

INTRODUCTION OF PUBLIC BUSINESS IN SENATE.

Hon. Mr. LOUGHEED—Before the Senate adjourns, I desire to inquire from my right hon. friend as to what the prospect is for the introduction of some public business in the Senate at an early day? We have had a holiday for more than six weeks, and on our return I certainly anticipated that a large grist of public business would be on the desk of my right hon. friend for the consideration of this Chamber. Were it not for the inquiring spirit of my hon. friend from Stadacona, which is so industriously exercised by him, and were it not for the two Bills which my hon. friend from Prince Albert had on the Orders of the Day for the whole of last session, and which threaten to be on the Order Paper all this session, I should fail to see what would justify our presence here. On examining the file, I find Bill A and Bill B, introduced by the hon. gentleman from Prince Albert. That is a very scant pro-

gramme for this Senate to enter upon its session with. I saw by the public press that my hon. friend was to introduce a Bill into the Senate dealing with terminal elevators, as the result of that very important and distinguished delegation that attended Ottawa some weeks ago. There were many other public measures foreshadowed in the address which my right hon. friend might, with equal justification, introduce in the Senate. I, therefore, make the inquiry from my right hon. friend as to what the prospect of work is.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may say to my hon. friend that, owing to the fact that the House of Commons and ourselves have met upon the same day, which is a little unusual, their business has not been sufficiently forward to send up anything to us as yet; but I am promised, provided always that a factious opposition does not delay the good intentions of the government, that a reasonable number of Bills will be brought before us early next week, and with respect to the Bill that is in my own charge, it has been found, on consideration, that it will be necessary to introduce three Bills in place of one; that is to say, Bills to amend three separate Acts, and that has caused some delay. I hope to introduce these measures also early next week.

Hon. Mr. LANDRY—Did I understand the hon. gentleman to say we were going to adjourn till Tuesday?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, I did not say that.

The Senate adjourned till 3 o'clock tomorrow.

THE SENATE.

FRIDAY, January 13, 1911.

The Speaker took the Chair at Three o'clock.

Prayers and Routine Proceedings.

NATIONAL TRANSCONTINENTAL RAILWAY TERMINALS AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government, in view of the necessary disappearance of the offices, the wharfs and the buildings of the agency at Quebec of the Department of Marine and Fisheries, to make room for the terminals of the National Transcontinental railway, taken the necessary steps to find within the limits of the city a suitable place for the erection of new offices and the construction of other wharfs and of other buildings in connection with the agency at Quebec of the Department of Marine and Fisheries?

2. Has the Quebec Harbour Commission, to that end, gratuitously offered the federal authorities an advantageous lot of land on the banks of the River St. Charles, in the neighbourhood of its mouth, to the south of the Canadian Northern railway bridge, and covering an area of 800,000 square feet?

3. Has the engineers in the service of the government visited that lot of land, and have they made a report that the lot of land in question offered all the required conditions and that its site was one of the most suitable?

4. Does the Quebec Board of Trade ask the government to accept the gratuitous offer of the Quebec Harbour Commission?

5. What was the reply of the government?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the first question is that the department is taking the necessary steps to provide a new location. With respect to question 2, negotiations are now pending between the Harbour Commission and the department for a new site. As to the third question, the chief engineer of the department has visited several sites and has as yet made no report on the lot in question. The answer to the fourth question is, no. The answer to the fifth question is, that no conclusion has been reached by the government.

NAVIGATION OF THE ST. CHARLES RIVER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Quebec Board of Trade recently called the attention of the government to the inconveniences which the River St. Charles offers to the safety and development of navigation and commerce in that part of the country, and on the advantages which would result from the execution by the Dominion government of certain public works with the object of enabling vessels drawing not less than fifteen feet to go up and down the said river within the limits of the city of Quebec at all times during the season of navigation.

2. Has the said board of trade insisted on the fact that it is in the interests of Canada that these works be started and proceeded with as speedily as possible in order to utilize without further delay the natural advantageous and economical means offered by the River St. Charles for navigation and commerce?

3. Has the said board, therefore, asked the government to take the steps necessary, according to the report of its engineers, to have all impediments to the navigation of the St. Charles river removed by dredging, locking or otherwise as may seem proper in the public interest?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to each of the hon. gentleman's questions is, yes.

EXPERIMENTAL FARMS IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. From whom has the government purchased the Stadacona farm?
2. Who is to be entrusted with the management and working of the same?
3. Is it true that the manager of the Stadacona farm is also at the same time to be manager of the farm at Ste. Anne de la Pocatiere?
4. What will be his salary?
5. Will he have his residence in one of the farm buildings?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Gustave A. Langelier.
2. Gustave A. Langelier.
3. This matter has not yet been determined.
4. $1,400 per annum.
5. Yes.

MOTION.

Hon. Mr. LANDRY moved:

That an Order of this House do issue for the production of a copy of the agreements concluded between the proprietor or proprietors of the farm selected for purposes of experimental farming in the parish of Ste. Anne de la Pocatiere, as well as of all correspondence on the matter.

Rt. Hon. Sir RICHARD CARTWRIGHT There is no objection to the motion.

Motion was agreed to.

ELECTRIC RAILWAY MAIL CONTRACTS.

MOTION.

Hon. Mr. LOUGHEED moved:

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate copies of all contracts, agreements, &c., which are in force or which may become effective within the next twelve months between the government and any electric railway company for the transportation of mail matter and government officials and employees, including letter carriers.

The motion was agreed to.

THE ADMINISTRATOR OF THE PROVINCE OF QUEBEC.

INQUIRY.

Hon. Mr. LANDRY—Before the orders of the day are called, I should like to know if there has been any extension of time given to the Hon. Sir Louis Jetté, whose two months term expired on the 10th of January?

Rt. Hon. Sir RICHARD CARTWRIGHT —I cannot answer that question, I am afraid, to-day. If the hon. engtleman will give notice for Tuesday, I will have an answer for him.

AUDITING OF SENATE ACCOUNTS.

ORDER POSTPONED.

The order of the day being called:

Consideration of the communication from the Clerk of the Senate in re letter from the Auditor General, &c.

Rt. Hon. Sir RICHARD CARTWRIGHT said: I find on looking into this matter that there are one or two questions coming up on which some members have doubts as to the exact position of the Senate, and, on the whole, if it does not cause inconvenience, we had better adjourn it until Tuesday.

The order of the day was discharged and placed on the Orders for Tuesday next.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, January 17, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE LIQUOR TAX IN THE YUKON TERRITORY.

MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved:

That the ordinance made by His Excellency the Governor General in Council in virtue of the provisions of section 16 of 'The Yukon

Act,' chapter 63 of the Revised Statutes of Canada, 1906, on the 9th of December, 1909, and intituled 'An Ordinance to rescind an Ordinance respecting the imposition of a Tax upon ale, porter, beer or lager beer imported into the Yukon Territory,' a copy of which was, on the 11th of January, 1911, laid before the Senate for their approval, under section 17 of the said chapter 63, be now so approved.

The motion was agreed to.

ORDERS IN COUNCIL UNDER DOMINION LANDS ACT.

MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved:

That the following orders in council made by His Excellency the Governor General, under the provisions of the Dominion Lands Act, chapter 20 of the statutes of 1908, on the dates respectively mentioned, that is to say:—

1. P.C. No. 729, dated 20th April, 1910, made under the provisions of section 37 of the said chapter 20, rescinding the regulations for the disposal of coal mining rights established by order in council of the 9th May, 1907, and amending orders in council, dated respectively 16th February and 9th December, 1909, and establishing new regulations in lieu thereof.

2. P.C. No. 1012, dated 25th May, 1910, amending P.C. No. 729, dated 20th April, 1910, respecting the disposal of coal mining rights.

3. P.C. No. 2469, dated 9th December, 1909, rescinding section 3 of the coal mining regulations established by order in council of the 9th May, 1907, and substituting a new provision.

4. P.C. No. 3, dated 31st January, 1910, as to the charging of royalty upon the output of coal mines.

5. P.C. No. 3, dated 17th January, 1910, making regulations for the issue of permits to remove sand, stone, and gravel, the property of the Crown, from the submerged beds of rivers and lakes in Manitoba, Saskatchewan, Alberta, the Northwest Territories and within the railway belt of the province of British Columbia.

6. P.C. No. 762, dated 21st April, 1910, rescinding section 3 of the regulations, established by order in council of the 17th January, 1910, for the issue of permits to remove sand, stone, and gravel, the property of the Crown, from the beds of rivers and lakes in Manitoba, Saskatchewan, Alberta, the Northwest Territories, and within the railway belt in the province of British Columbia, and substituting a new section 3 therefor.

7. P.C. No. 313, dated 22nd February, 1910, amending the regulations established by the order in council of the 17th January, 1910 for the issue of permits to remove sand, stone and gravel, the property of the Crown, from the submerged beds of rivers and lakes in Manitoba, Saskatchewan, Alberta and the Northwest Territories, and within the railway belt in the province of British Columbia.

Rt. Hon. Sir RICHARD CARTWRIGHT

8. P.C. No. 933, dated 13th May, 1910, made in virtue of the provisions of subsection (b) of section 3, section 38 and subsection (k) of section 76 of The Dominion Lands Act, approving the regulations annexed thereto for the leasing and administration of lands containing limestone, granite, slate, marble, gypsum, marl, gravel, sand, or any building stone, in the provinces of Manitoba, Saskatchewan and Alberta, the Northwest Territories, within twenty miles on either side of the main line of the Canadian Pacific railway in the province of British Columbia, and in the tract of three and one-half million acres acquired by the government of the Dominion from the province of British Columbia and referred to in subsection (b) of section 3 of The Dominion Lands Act.

9. P.C. No. 414, dated 11th March, 1910, rescinding the regulations governing the disposal of petroleum and natural gas rights, the property of the Crown, in Manitoba, Alberta, Saskatchewan, the Northwest Territories and the Yukon Territory, established by orders in council dated the 31st of May, 1901, the 22nd of December, 1902, the 23rd of March and the 1st of October, 1904, the 22nd of July, 1905, and the 26th December, 1906, and substituting therefor the regulations annexed.

10. P.C. No. 277, dated 14th February, 1910, approving and establishing regulations governing the disposal of tar-sand deposits, the property of the Crown, in that portion of the province of Alberta lying north of township 80, and between the 4th and 5th initial meridians, under and in accordance with the provisions of section 37 of The Dominion Lands Act, being chapter 20 of 7-8 Edward VII.

11. P.C. 188, dated 9th May, 1910, rescinding clause (m) of number 17 of the regulations governing the granting of yearly licenses and permits to cut timber on Dominion Lands, and substituting therefor a new clause (m).

12. P.C. 2103, dated 15th October, 1909, ordering that provision be made in the regulations governing the granting of yearly licenses and permits to cut timber on Dominion lands, for the issue of yearly permits in the Peace River District to portable sawmill owners, whereby each such owner shall be permitted to cut timber on a definitely described tract of land not exceeding one square mile in extent, the quantity not to exceed 200,000 feet B.M. Dues shall be paid at the rate of 75 cents per thousand feet B.M., 20 per cent being payable in advance and the balance at the expiration of the permit.

13. P.C. No. 261, dated 1st March, 1910, amending section 29 of the Quartz Mining Regulation, approved by order in council of the 13th August, 1908, by adding the following paragraph thereto:—

'The grant issued for such a location shall include the rights to the iron and mica only, and shall not include the surface. The grantee may, however, upon application, be permitted to purchase at the rate of $10 an acre whatever area of the available surface rights thereof the minister may consider necessary for the efficient and economical working of the rights granted.'

14. P.C. No. 595, dated 20th April, 1910, amending the regulations established under

the order in council of the 2nd June, 1909, governing the mode of granting water-power rights in connection with Dominion lands in the provinces of Manitoba, Saskatchewan and Alberta.

15. P.C. No. 91, dated 21st January, 1910, ordering that the dues payable under permits to cut timber under timber licenses issued for tracts of unsurveyed lands which, upon survey, become school lands, shall be 50 cents per 1,000 feet B.M. and the rental $5 per square mile.

Copies of each of which orders in council were laid before the Senate on 11th January, 1911, for their approval under the provisions of section 77 of the said Act, be now so approved.

The motion was agreed to.

SHIP BUILDING YARDS AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the right honourable the Prime Minister received from the Board of Trade of the city of Quebec, a request with regard to the establishment of ship building yards in that locality, for the purpose of encouraging the construction in Canada of iron and steel ocean going vessels, bringing to his notice, at the same time, that within a year four steel vessels had been built at Quebec, where there are yards in a position to show themselves capable of meeting the circumstances?

2. Has the board of trade expressed the opinion on this subject, that it is of the greatest importance that Canada should become again what it was forty years ago with regard to ship building, and consequently one of the principal countries in the world as regards commercial transportation, and that this magnificent result can be obtained by the judicious encouragement by the federal authorities of ship building?

3. What answer did the right honourable the Prime Minister give to those observations, and what policy does he intend to follow on this subject?

Rt. Hon. Sir RICHARD CARTWRIGHT —With respect to the first question, various representations and memorials have been received by the right hon. gentleman. Respecting the second question, he has received communications from the board of trade to that effect. With respect to the third question, the subject is engaging his very earnest consideration.

A DRY DOCK FOR THE ST. LAWRENCE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the council of the Quebec Board of Trade caused to prevail upon the right honourable the Prime Minister and his government, the urgent reasons and the absolute necessity of commencing forthwith the construction of a dry dock of sufficient size to accommodate the powerful vessels actually engaged in ocean commerce by way of the St. Lawrence, and of vessels of still larger tonnage which are destined in the near future to plough the waters of our great river?

2. Has the government taken in consideration the request of the board of trade to that effect, and the reasons which are therein given, and what conclusion has it come to thereon?

Rt. Hon. Sir RICHARD CARTWRIGHT —The right hon. the Prime Minister has had communications from the council of the Quebec Board of Trade and other parties with respect to this matter. As respects the second question, negotiations on the subject are now going on with several parties.

THE WORK OF THE SENATE.

MOTION WITHDRAWN.

The order of the day having been called:

That an order of the Senate do issue for a return showing the title of all Bills which in the last two sessions have been amended by the Senate after having been passed by the House of Commons, and the number of amendments made to each of such Bills.

Hon. Mr. DAVID said: My object in placing this resolution on our orders is to answer the accusations or insinuations which have been made against the Senate, and to show that last session amendments were made by this House to a great number of Bills passed by the House of Commons. There was a statement of a similar character laid before this House two or three years ago covering all the years since confederation, which showed that during that period hundreds of Bills passed by the House of Commons had subsequently been amended by the Senate. I do not think it proper to bring those statements up again. I shall be satisfied with the production of statements covering the last two sessions. I hold now in my hands two statements, for last session and the session before, which show that in the session of 1908-9 twenty-eight Bills passed by the House of Commons were amended by the Senate and that sixty-nine amendments were made to those twenty-eight Bills. Last session, eighty-five amendments were made to thirty-eight Bills from the Com-

mons, not taking into consideration some Bills which were rejected, and the Insurance Bill, which was almost completely recast and to which about one hundred and fifty amendments, if I remember correctly, were made by the Senate. I make this motion in order that these two statements may be recorded as a continuation of the return laid before this House two or three years ago.

Those statements will show clearly and conclusively that a great deal of work was done by this Chamber. A very important fact to be mentioned is this: that all the amendments made by the Senate have been approved of and accepted by the Commons, and we therefore have the right to conclude that it constitutes a certificate in favour of the work done by the Senate, and proves that those amendments were properly made. If they had not been properly made there would be on our statutes not only Bills passed during the last two sessions, but hundreds of Bills passed since confederation which would be very imperfect, and which would not do credit to the legislation of the Dominion parliament. Are we to conclude that those amendments were not approved of by gentlemen who advocate the abolition of the Senate? My contention is that the Senate is doing a good work, and if this Chamber did not exist it would be necessary to establish a revising body, which would take the place of the Senate, and that those who speak of the abolition of the Upper House do not know what they are talking about. I do not think the sayings of these critics really deserve the attention of this Chamber. As to the reformation of the Senate, it is a different question which no doubt deserves the attention of the public men of this country. This is not the time to discuss the merits of the question, but I will take occasion to correct certain assertions which have been made in newspapers in connection with views which I expressed two or three years ago in regard to Senate reform. It has been charged that I expressed the opinion that the best reform which could be made would be to have one half of the members appointed by the legislative assemblies and the other half elected by the people. I never said that, but I stated that there were two systems which appeared to me to be most practicable if a reform should be found necessary. My proposition was either to have one-half of the senators appointed for life by the federal government and the other half elected by the people, or appointed by the provincial governments. I thought the most efficient way would be the latter, because it would give to federal and provincial governments the guarantee of protection which they require. The hon. member for Middlesex (Sir Geo. W. Ross) in a very elaborate speech, proved that no change in the constitution of the Senate could be made without the consent and approval of the provinces, and I think his views are correct, because everybody recognizes that the Senate was established to protect provincial rights. The institution of the Senate was one of the essential considerations in the scheme of confederation; without the creation of the Senate there would have been no confederation. That is the reason why I think that the system which would give to the provincial governments the right to appoint half the members of the Senate when it would be thought necessary to reform the Senate would be the most acceptable to the provinces. I wanted only to lay these facts before the public and before those who are now engaged in discussing the question of reform or abolition of the Senate. The work actually done by the Senate should appeal to the common sense and judgment of reasonable people. Having obtained the statements which I desired to be brought down, I beg now to withdraw my motion.

The motion was withdrawn.

PUBLICATION OF DEBATES OF SENATE AND HOUSE OF COMMONS.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the House do issue for the publication of a return showing year by year from 1900, up to the present day, the date of the publication and distribution to members of parliament:—

1. Of the English edition of the Debates of the Senate.
2. Of the French edition of the same.
3. Of the English edition of the Debates of the House of Commons.
4. Of the French edition of the same.

The motion was agreed to.

PUBLICATIONS OF JOURNALS OF SENATE AND HOUSE OF COMMONS.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the House do issue for a return showing year by year, from 1900 up to the present day, the date of the publication and distribution to members of parliament:—

1. Of the English edition of the Journals of the Senate.
2. Of the French edition of the same.
3. Of the English edition of the Journals of the House of Commons.
4. Of the French edition of the same.

The motion was agreed to.

REPORTS OF DEPARTMENTS.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing in as many distinct columns:—

1. The names of all departments obliged by law to lay before parliament reports of their annual operations.
2. The date fixed by law for the laying of the said reports before parliament.
3. The date on which the said reports have been laid for the fiscal year ending 31st March, 1910, stating whether it was the English or the French edition which was so laid.
4. The date of the publication and distribution of the French edition of the said reports.
5. The title of the reports which, up to the 15th January, 1911, nine months and a half, after the fiscal year ending the 31st March, 1910, have not yet been published in French.
6. The titles of the reports which, up to the 15th January, 1911, twenty-one months and a half after the fiscal year ending the 31st March, 1909, have not yet been published in French.

The motion was agreed to.

EXPERIMENTAL FARM IN QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the House do issue for the production of a copy of the agreements concluded between the government and the former proprietor of the Stadacona farm at St. Félix du Cap Rouge, with reference to the purchase of the said farm, and of operating the same in the future as an experimental farm, and of all correspondence on these two matters.

The motion was agreed to.

APPOINTMENT OF CENSUS COMMISSIONER.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. Has the government appointed a chief commissioner for the next census of Canada?
2. What is his name?
3. Does the government intend to appoint a French Canadian joint commissioner to assist in the preparation of the work, especially with respect to the French Canadian centres?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The answers to the hon. gentleman's questions are as follow :

1. A permanent office under the Minister of Agriculture has been organized as provided by Chapter 68 of the Revised Statutes of Canada 1906, called the Census and Statistics Office, and the principal officer appointed thereto is entitled Chief Officer. There is no provision in the Act for the appointment of a Chief Commissioner.

2. Mr. Archibald Blue is the Chief Officer.

3. No. The duties heretofore performed by the Chief Commissioner and Assistant Commissioner will be performed in connection with the next Census by members of the permanent staff of the Census and Statistics Office.

EXPERIMENTAL FARMS IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the price asked or demanded from the government by Messrs. Bedard & Gore for the land offered by them for experimental farm purposes, and what the area of the same?
2. What was the area of the land offered by the Quebec seminary at Beauport, and what was the price demanded?
3. What is the price demanded by Messrs. Paradis and Berthiaume for their land. Where was it situated and what the area thereof?
4. How many acres are contained in Mr. McGrath's property near the railway station at Charlesbourg, and what was the price thereof?
5. Have the properties of Messrs. Gendron & Hudon at Ste. Anne de la Pocatière been offered to the government, and at what price, what was the area thereof?
6. Are there any other properties in the counties of Quebec and Kamouraska which have been offered to the government as experimental farms?
7. Description, price demanded, and area of each?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The answers to the hon. gentleman's questions are as follow :

1. $40,000. 109 arpents.

2. The area of land about 200 arpents. Refused to sell. Desired to lease.

3. $14,000. Situated immediately behind the Parish church of Charlesbourg. 83 arpents.

4. 46 arpents. $20,000.

5. Yes. $10,000. The property consists of three pieces of land, one 2 arpents by 35 arpents, one 2 arpents by 42 arpents and 4 arpents.

6. Yes.

7. The MacKay estate on the north side of the Ste. Foye Road, extending northward with a rather steep slope for probably 1,000 yards and with a frontage of 130 yards of the Ste. Foye Road. Owners willing to submit to arbitration, but would not fix a value.

The Moore property facing on the Ste. Foye Road, opposite the MacKay property, approximately 45 arpents. Price $250 per arpent.

The Montreuil, Routhier and Tremblay properties. Lying about half a mile east of Ste. Foye church, on the north side of the Ste. Foye Road. Price $160 per arpent. These three properties include in all an area of about 196 arpents.

McClish estate. This property lies about half a mile east of the Ste. Foye church, and extends along the south side of the Ste. Foye Road. Price not fixed. About 164 arpents.

Laberge property. About 2 miles from Ste. Foye Village. Price $17,000. 175 acres.

Bedard Property. Small property. On the west of 'Le Chemin de la Suète.' No price fixed.

Edge, Hamel and Edge properties. At Ancienne Lorette. Price $200 per arpent. 150 arpents.

Fortier, Martel, Giroux Properties. At Charlesbourg. About two miles west of the church. $27,000. About 150 arpents.

Villeneuve, Parent, Penisson properties. Situated about three miles west and north of Charlesbourg church about two and a half miles east and south of Jeune Lorette church. Price not known. 165 acres in all.

TRANSFERS OF MILITIA OFFICERS.

INQUIRY.

Hon. Mr. LANDRY inquired:

Do not the Royal Regulations and Orders of the Canadian Militia, 1910 which (article 306 and following) seem to afford to the private of a corps of the permanent force or of the active militia sufficient protection against any arbitrary permutation into another corps, also afford a protection equally effective to the officers of the active militia, against any action or recommendation made by an officer with the object of compulsory permutation of one of them without his knowledge or against his will and without even the authorization of the commandants of the corps which said permutation concerns?

As a matter of fact, do not the military authorities apply articles 306, 222, 223 and 226 of the above mentioned Orders to members of the active militia as well as to those of the permanent corps and to the officers as well as to the privates of the active militia?

Rt. Hon. Sir RICHARD CARTWRIGHT— The answer is as follows:

1. Para. 306, 'King's Regulations and Orders for the Canadian Militia', seems to afford to a private of the militia, whether permanent or active, sufficient protection against any arbitrary transfer from one corps to another, but neither that paragraph, nor any of the paragraphs which immediately follow it, has any relation whatever to officers.

2. The militia authorities do not apply paragraph 306 to officers, whether of the permanent force or of the active militia, and they apply paragraphs 222, 223 and 226 to officers only—the paragraphs named not being intended to apply to non-commissioned officers or privates.

DIVORCE IN CANADA.

MOTION.

The orders of the day being called:

That a humble address be presented to His Excellency the Governor General praying that His Excellency may be pleased to lay before the Senate a statement of the number of divorces granted by the parliament of Canada since 1894 to 1910 inclusive, together with the number of divorces granted by each of the courts of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia; also the population of each of those provinces according to census of 1901 ; and the aggregate population of Ontario, Quebec, Manitoba and the Northwest Territories according to the census in 1901.

Hon. Mr. POWER—The hon. gentleman from Moncton (Hon. Mr. McSweeny)—is

unavoidably absent and he has asked me to make this motion on his behalf. I suppose that every member of this House feels the ideal state of things would be that there should be no divorce. I think that is the general sentiment, even amongst gentlemen who in a way think divorce is necessary ; but every hon. gentleman must feel that the ideal state is one in which there would be no divorce.

Hon. Mr. CLORAN—They do not vote that way.

Hon. Mr. POWER—They think there is necessity for divorce, but the ideal state would still be that in which there was no divorce. Every hon. gentleman must feel that the less divorce there is in any country the better. There is one of our provinces which has the singular fortune of never having had a divorce—at least since 1867, and there is no record of any divorce for a great many years prior to that time. That province, I am pleased to say, is a near neighbour to the province to which I have the honour to belong, I refer to the province of Prince Edward Island.

Rt. Hon. Sir RICHARD CARTWRIGHT—Is that the reason the population is decreasing?

Hon. Mr. POWER—No, I think the reason the population is not increasing is that the people leave Prince Edward Island and go out west in order to spread the proper doctrine in that part of the country. In Prince Edward Island, while it is alleged that they have a divorce court, the court is really composed of the Lieutenant Governor in Council, and that may be one of the reasons why the people of that island do not apply for divorce. In England, divorce has increased very rapidly since 1857, when the divorce court was established. In the United States the increase in the number of divorces has been phenomenal. Divorces there have increased, I was going to say in geometrical progression, but at any rate in arithmetical progression. At present there is a divorce to every twelve marriages, and at the rate they are going ahead, in ten years more there will be probably one divorce to every six marriages. Thoughtful people recognize this as a great misfortune. In France, where up to a few years ago there was no divorce, since the establishment of a divorce court, and the toleration of divorce, the number of divorces has increased with great rapidity, and it looks now as though France would overtake the United States.

I do not think there is any member of this House who would wish Canada to travel along the same road that France has travelled during the past few years, and the United States for the past twenty years. The slower we go in the direction of divorce the better. My contention is that the establishing of a divorce court would very much accelerate our speed along that road, that divorce would increase very rapidly indeed. Divorce would increase out of all proportion to the increase of population if we were to establish a divorce court, say for the province of Ontario. Just why that result has followed in England, where they had parliamentary divorce before 1857, and why the same rule appears to apply to our provinces where they have courts, I cannot exactly say. I think there is this to be said with respect to the present system, when a man and wife happen to quarrel, under our system there is no immediate recourse to a court. The party who feels tempted to look for a divorce or wishes that he or she were divorced, has to sit down and think, and notice must be given for not less than three months of the intention to apply for a divorce. That gives time for cool second thought for weighing the pros and cons, and also gives time for the heat of temper to cease. The result in a great many cases has been that where there was no court at hand to which application could be made forthwith when the cause of irritation occurred, the lapse of time has removed the disposition to apply. There are other reasons I suppose ; the Senate is looked upon as a formidable body to approach, and nervous people perhaps hesitate about coming here. Then there is another circumstance ; perhaps it costs a little more, although not much more, to get a divorce here than it costs to get a divorce from a provincial court. My hon. friend is asking for information. I am not in a position to give all the information

than hon. gentlemen asks for; but I may give a little which I find in a very excellent article published in the December number of the 'Canadian Law Times.' This is an article on 'Divorce in Canada and in the United States a Contrast,' by F. P. Walton, LL.D, Dean of the Faculty of Law, McGill University. That is a most respectable authority, and with the consent of the House I shall make a few quotations from this article. At page 975, Dr. Walton says:

In Canada the ancient view of marriage as a life long union of a man and a woman still holds the field, whereas in the United States marriage is coming to be regarded as a contract of a much less permanent character which may be terminated without much difficulty by either party. It would appear that divorce has now become a primary necessity of life in the republic, while in the more conservative northern half of the continent it remains the luxury of the few.

Then at page 976, he says :

The larger part of the Dominion of Canada shares with Ireland the distinction, now very uncommon, of having no divorce court. Divorce can only be obtained by a private Act of parliament, but this is not true of the whole Dominion.

Then he gives some statistics :

In four of these nine provinces there are divorce courts, but these provinces have altogether considerably less than one-fifth of the whole population of the country. I have been favoured by the Census Department with the official estimate of the population of Canada as at March 31, 1910.

I am not going to read those figures but the total population of Canada according to this estimate, was 7,497,781. Out of that the maritime provinces have 1,050,678, and British Columbia 321,733. That is considerably less than one-fifth of the whole. This is what is stated as to British Columbia on page 977, after referring to the fact that there have been no divorces in Prince Edward Island since confederation:

British Columbia stands in a different position. That colony, in its present form, came into being on November 19, 1858. Before it joined the Canadian union in 1871, the legislature of the colony had enacted that the civil and criminal laws of England, as the same existed on the 19th day of November, 1858, in so far as the same are not from local circumstances inapplicable, are and shall be in force in all parts of the province of British Columbia. Under this Act it was held that the English Matrimonial Causes Act of 1857 formed a part of the law of British Columbia.

The consequence is, it is harder to get a divorce in British Columbia ; the law is more exacting as to causes than in the other provinces, but, notwithstanding that fact, British Columbia, with a population in 1910 of only 321,000, less than one twenty-third of the population of Canada, had in the years 1905 and 1906 as many divorces as all the rest of the country put together, or to speak precisely, 38 divorces out of 75 for the whole Dominion. He says :

According to the census of 1901, British Columbia had 50 divorced persons per hundred thousand of the population as compared with 10·5 per hundred thousand in Ontario and 3·5 in Quebec.

You see that British Columbia compares very unfavourably with the remainder of the country.

Nova Scotia with a population of 610,000 has about 8 to 10 divorces per annum, and New Brunswick, with an estimated population of about 347,000, had in 1907, three divorces, in 1908, five, and in 1909, eight.

The total number of divorces granted by the Dominion parliament since confederation was 140. The writer, at page 982, says:

It is now time to give the total number of divorces granted, whether by the legislature or by the courts, according to the different provinces. The figures from 1867 to 1906, inclusive, show that 431 divorces in all were granted during this period, and that they were divided as follows:

Ontario	70
Quebec	25
Nova Scotia	136
New Brunswick	83
Manitoba	6
Northwest Territories	7
British Columbia	104

'During these 40 years in which Canada has slowly been compiling this beggarly total of 431 divorces, the states of the neighbouring republic have dissolved 1,274,341 marriages.'

There is another passage at page 984 which deserves attention. Speaking of the causes which lead to divorce in the United States, he says:

Probably the greatest of all is the impatience of all restraint which is characteristic of the present generation. The conviction that we ought to have anything we want seems to be becoming the main article in the working creed of a large part of the population.

Now, I think that not only with respect to divorce, but with respect to a great many other things, self-denial, the doing without

things that we desire, is one of the most beneficial and civilizing experiences that a man or a community can go through. Hon. gentlemen have spoken here on more than one occasion as to the desirability of having a divorce court. Now, I have not myself been able to see—I have not had any evidence which would lead me to think that there is any necessity for such a court. We have here a committee of the Senate, composed largely, the majority, I think, of men of the legal profession, one or two doctors and a couple of other gentlemen who are looked upon as representing the average common sense business man, and that committee have never applied to this House asking that a change should be made. They do their work, I think, quite as satisfactorily as the average court does. They do not complain, and I do not see why we should, under the circumstances, undertake to give them relief that they are not asking for. Then, again, public opinion does not ask for a change. One may travel through the country and find very few who will say it is desirable that greater facilities should be given for divorce than are at present afforded ; and the natural conclusion of all this is that if there is no crying demand for a divorce court we should let things go as they are. The present condition is infinitely better than the condition of things in England, France and the United States. I fail to see any reason why we should be making unnecessary trouble and trying, without any solid or substantial reason, to bring about a condition of things which is most undesirable.

Hon. Mr. LANDRY—Should not this motion be for an order instead of an address?

Hon. Mr. POWER—Inasmuch as all the information is not under the control of the government, I think an address is the proper way to get the return. Some of it would have to be got from the provinces, I suppose.

Hon. Mr. LANDRY—I thought an address should take the place of an order when we want something from the public departments in which the permission of the Governor General is to be given, but where the interference of the Governor General is not necessary an order of the House is quite sufficient.

Hon. Mr. POWER—I do not think that the hon. gentleman puts the distinction between an order and an address just as it really is. If the documents that are sought are under the control of the government here and no outside government is involved or concerned in them, then you move for an order ; but this information is not all under the control of the government, as I understand. I suppose it could be got from the provinces. That is my impression.

Hon. Mr. LANDRY—I think it should be an order.

Hon. Sir MACKENZIE BOWELL—Would there be any objection to the hon. gentleman making the motion read: 'The number of applications and the number of divorces granted?' It would show then what had been done in the administration of the law as to the provinces?

Hon. Mr. POWER—I think probably that would be an improvement.

Hon. Sir MACKENZIE BOWELL—We know there is only one crime for which divorce is granted by the Dominion parliament, and it would indicate to the public how particular the committee has been to show that that was established before granting a divorce.

Hon. Mr. POWER—Would the hon. gentleman like to have the same information as to the provinces?

Hon. Sir MACKENZIE BOWELL—I have no objection to that, but I think there would be more difficulty in obtaining it.

Hon. Mr. POWER—Yes, there might be.

The SPEAKER—The suggestion is that the amendment should be made, to lay before the Senate a statement of the applications for divorces, and of the number of divorces granted.

Hon. Mr. CLORAN—I think the moral forces of this country will feel deeply grateful to the hon. member from Halifax for placing not only this information before the House and before the country, but also for his determined views in regard to the

question itself. Probably no question can affect the welfare of a nation more seriously than the separation of man and wife, and the breaking up of the home, the making orphans of children before the proper time, giving scandal to the young, while procuring luxury and lust for the old. What attacks the home attacks the nation itself, and Canada may well feel proud of its record in regard to divorce. I know that Canada has in the lower House, as well as in the upper Chamber, men who are not afraid to express their views in regard to this matter without restriction. Canada has in both chambers men who cannot be led away in their conclusions and in their judgment by sentimental reasons or by sympathy, and the country will find in them men who will uphold the marriage relation as it should be upheld and as the highest authorities want it to be upheld. It should not be a question of sect or religion. The question is one of too much gravity and too much seriousness to be solved by any sectarian or sentimental view. The legislatures of this country have done their duty well in the past. They have made it difficult in the vast majority of cases to separate man and wife. As long as parliament, through its committee, does that work, it will be benefiting the country at large, and the country will agree with the view expressed to-day by the hon. gentleman from Halifax that we are not in need of further avenues leading to the destruction of our homes, either by means of provincial or other courts, and the more difficult this separation of man and wife can be made the better for all concerned. It may be a hardship for a few —and a mighty few according to Canadian experience—to endure the marital relation with people that they do not like, that they have good reason to despise, that they have good reason to fear, but we must remember that all government and all law must be based on that one common principle—the good of the majority, the good of the whole people before the good of a few. That is a principle which underlies every Act of parliament, and why should it not underlie this Act which governs marital relations? That is a question that ought to appeal to all public men that we should not try to have a further extension of courts to dispense divorce at will. In the past I have endeavoured to secure the assent of this honourable House to a Bill dealing with this question from a moral standpoint, and from a moral standpoint alone. We must accept the situation as it is. Under our constitution, divorce can be granted by parliament, but parliament has a right to say to whom a divorce shall be granted, and I have placed before this honourable body the contention that the guilty party in a divorce suit should not receive the protection of this parliament as he or she has been receiving it in the past. I hold it is not right to encourage immorality, as we do encourage it when we say to the man who has forced his wife to seek a separation, who has given sufficient reason to the Senate and parliament to grant a divorce, that he shall have the right to marry again. It is not proper to give to that man, who has by his crimes and offences against family rights and family privileges brought about this condition of things, the same power and privileges and the rights as are given to the innocent party. That is a contention that I have had occasion to put before this honourable House. It received quite a large support and was very nearly being adopted on one occasion, and I feel that in the near future this honourable body and parliament as a whole, will come to the conclusion on moral grounds that it is not in the interest of the family, or in the interest of society that a man who is condemned by parliament for his immorality, brutality or other vices shall have the right to go into another home and seek the hand of another woman. A penalty should be imposed upon the guilty party. I am not advocating the right of the innocent party to marry. I have no right from my religious point of view to do so, but I certainly have the right to ask parliament not to give to the guilty party, whether it be the wife or husband, the right to recommence a life of shame with another party and build up another family on such a basis. It is bad enough for himself to have broken the heart of his wife, and to force his home into a state of abandonment, leaving the children without proper protection, and with scandal for ever before

their eyes, and it is not proper that this honourable body should grant to such people the rights and privileges which it grants to an innocent party.

Hon. Mr. ROSS (Halifax). My views on this subject have been fully expressed on several occasions. My greatest objection is to the tribunal in which divorces are granted. It is not like the practice in Scotland, England or France. **It is expensive.** It is a law for the rich man and against the poor man.

Hon. Mr. CLORAN—The poor man does not want it.

Hon. Mr. ROSS (Halifax)—The poor man cannot come here because he cannot deposit his $200 to begin with, or bring his witnesses from afar to prove his case. I have in my mind a case of a man from Hamilton who applied for a divorce when I was in the Lower House. The Senate granted him a divorce. The woman in question had as a friend an influential member of the Commons, and with the support of the Catholic vote he worked up sufficient opposition to throw the Bill out in the Commons. Before the next session came, this prominent man in Ontario, whose name I will not mention, died, and Martin came back the second time and obtained his divorce. He was a rich man, and he rejoiced in the freedom he got, and asked us all down and we had a champagne supper and a very good time at his expense. My hon. colleague from Halifax, I think, stated that the expense of getting a divorce now is very little different from what it would be in a suit before a judge of the Supreme Court. I have ascertained from Judge Graham in Halifax what the expense would be. Sometimes it is $80 and never over $150. Where would the poor man be when he would come here? I hope that Ontario, which always has the credit of having great reformers, will take a step in this direction and insist that they have a tribunal created to try their divorces. I am informed that there are a large number of divorces from Toronto to come before the committee this session, and it would be better that they should be tried before a judge of their own court. There is a great amount of dirty, filthy literature scattered about in the evidence that is printed. The charwomen who clean the buildings pick up this literature and distribute it among their children, and it is very injurious literature for them to read. I know one member of parliament who was in the habit of sending it out to his constituents. I would not be guilty of such an infamous act as the sending of such literature to my people. If Ontario will move for a court of divorce it will be doing justice to themselves and then the poor man will have his rights as well as the rich.

Hon. Mr. WILSON—Before the motion is put I wish merely to correct an erroneous impression that may go abroad from the statement made by the junior member for Halifax. As far as my experience goes, and as far as I can ascertain by reading, I feel that it is a good thing that the expense of divorce is heavy. I wish it were even more expensive for people to get divorces than it is at the present time. Anything that increases the difficulty of separating man and wife conduces to the welfare of society. Why does my hon. friend want to make divorce as easy and inexpensive in Canada as it is in the United States, where it has become a disgrace to the country at large? If I held, as some do, that marriage is a holy ordinance, I would hold even stronger views on divorce than I do at the present time. I feel that marriage is a civil contract, recognized by our laws. Does my hon. friend wish that more marriages should take place and that we should have more divorces? If that is his idea of what is moral, and in the interests, and for the welfare of society at large, I beg to differ entirely from him. I feel that the less divorces we have the better for society, at the same time I believe there are cases where divorce ought to be granted. If a couple find it impossible to live in peace, happiness and quietness at home, if the one of the parties violates the solemn compact entered into, I believe that separation is the proper thing. I would not entertain as strong a feeling as my hon. friend from Victoria division (Hon. Mr. Cloran) in reference to the serious crime of a divorced individual

coming into another family after obtaining a divorce and entering into another marriage contract. What does that mean? Would he tie him up? Would he make him an outcast from society?

Hon. Mr. CLORAN—Yes.

Hon. Mr. WILSON—Then he could be a perpetrator of wrong-doing in other families and it would not be in the interest of society, but the contrary. If he has committed an offence, and has been punished for it, the punishment is supposed to cause the reform of the individual, and if he gets a second wife he is likely to be more cautious and will not permit himself to fall into the error again. Therefore, I do not agree with the principle propounded by the hon. gentleman from Victoria division. Why should we object to the principle of divorce? Is it not the fact that in every civilized and advanced country under the sun divorces are granted? Are we in Canada superior to the mother country, and to almost every other country, with regard to divorce courts? What have we now? Any one who desires a divorce has to apply to parliament for it. He has to pass through the ordeal of the Senate, and produce evidence before the Committee on Divorce. That committee examines the evidence fully and decides whether they should report the case favourably or not. If they report favourably the matter comes before the Senate and the Senate has a right to consider it—at least they should consider it if they do not. The evidence is printed so that they may read it, and decide whether the application is a just one. Then the Bill passes the Senate and goes to the House of Commons. Then the Private Bills Committee of the Commons considers all the evidence presented to them and decides whether the relief asked for should be granted, or not, and it usually is granted. Are they not as careful in protecting the rights of the individual as a court of law would be? It is argued by some hon. gentlemen that the cost of procuring a divorce by Act of parliament is so great that the poor man cannot get relief. It is called the rich man's court.

Hon. Mr. ROSS (Halifax).—So it is.

Hon. Mr. WILSON.—My hon. friend is sincere and conscientious in his belief, but, if he will look carefully into the matter, I think he will find that the present system of obtaining divorce is cheaper than the law court. True, we have lawyers contending every little while that the expense of obtaining divorces is very great, but they hardly get the words out of their mouths before they commence complaining that their fees are not as large as they should be. What constitutes the greater portion of the cost of divorce? It is the fees of the lawyers coming here. Are they so generous that they consider the hardships of the family when a case comes before them? Nothing of the kind. While I exonerate my hon. friend from Halifax, I know that the lawyers' fees are the principal item of cost we have to contend with. He said a case could be tried in Toronto for $150. Where does that money go? The lawyer gets the principal portion of it; it is not the court. It is the lawyer, that generous considerate individual who is anxious to have divorce turned over to the regular courts of law. My hon. friend from Halifax must admit that the statement is an erroneous one, that if a man went to the court in Halifax the expense would be as great, if not greater——

Hon. Mr. ROSS.—From $80 to $150. I have it from the judge himself.

Hon. Mr. WILSON.—Who is the authority for that?

Hon. Mr. ROSS.—The judge.

Hon. Mr. WILSON.—And the judge gets a fee when he tries a case. Does he want more fees?

Hon. Mr. ROSS.—He does not get fees. He gets a salary of $500 a year more than the other judges for trying divorce cases.

Hon. Mr. WILSON.—I accept the explanation of my hon. friend, but he must admit that if a person is anxious to obtain a divorce and comes here, and has not the money to carry on the proceedings, we recommend a remission of the fees, and relieve the petitioner of that payment. The Senate can afford that, and we allow the

person, who makes out a good case, to become free from the bonds under which he is suffering. I feel sometimes that we ought not to do that. We ought to make divorce as difficult as possible, and prevent people from applying for it.

Hon. Mr. CLORAN.—Hear, hear.

Hon. Mr. WILSON.—And yet my hon. friend says the cost is from $50 to $150.

Hon. Mr. ROSS.—No. I said $80 to $150.

Hon. Mr. WILSON.—I accept the correction. I contend that the system of granting divorces by the Senate is the best in the interest of the whole country. It is true they have a divorce court in England, but we find that the costs are enormous, from $400 to $800 in each case.

The question of expense has to be considered. We should adopt the system which is in the best interest, not only of individuals, but of the Dominion at large. We should retain the present system if the tendency is to cause fewer separations of man and wife. On that ground there is no reason for complaint. If my hon. friend would look at the record from Halifax he will find that in proportion to population Nova Scotia has more divorces than are granted by the parliament of Canada. Therefore, what he advocates would make divorce easier and increase the number of divorces, which would not be in the interest of the country at large. My hon. friend from Halifax repeatedly referred to the Divorce Committee as being the rich man's court, and contended that the poor man was also entitled to have relief. I have called his attention to the fact that he is labouring under a mistake. I hope we may all unite to do what is best in the interests of Canada, and that we may go on prospering in the future as we have prospered in the past.

The motion was agreed to.

EXPERIMENTAL FARMS IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government purchased in the parish of Ste. Anne de la Pocatière a farm for the purpose of an experimental farm?

2. What is the size of this farm, giving the length and width of the same?

3. At what distance is this farm situated:

(a) From the church?

(b) From the Intercolonial station?

4. Together with the farm, has the government purchased:

(a) Animals, what quantity and what kind.

(b) Rural constructions, and of what description?

(c) Agricultural implements, of what kind?

5. What was the price paid by the government?

6. To whom was the payment made?

7. Who is to assume the management of the farm, and on what terms?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Yes.

2. The property consists of three pieces of land, one 2 arpents by 35 arpents, one 2 arpents by 42 arpents and 4 arpents.

3. (a) About half a mile.

(b) These pieces of land lie immediately west of the station on the Intercolonial railway and abut on that railway.

4. (a) None.

(b) All the buildings erected on the premises.

(c) None.

5. $10,000.

6. Cheques for the payment of the purchase price payable to the joint order of the government's legal agent and the respective vendors have been sent to the agent.

7. This has not yet been decided upon.

BILL INTRODUCED.

Bill (C) 'An Act to incorporate the Alberta-Saskatchewan Life Insurance Company.—Hon. Mr. Lougheed.

EXPENSES OF THE SENATE.

MOTION.

The orders of the day being called:

Consideration of the communication from the Clerk of the Senate in re an estimate of the amounts which would be required to defray the expenses of the Senate, &c.

Consideration of the communication from the Clerk of the Senate in re letter from the Auditor General, &c.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the orders be referred to the

Committee on the Internal Economy of the Senate, with directions to report thereon.

The motion was agreed to.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

WEDNESDAY, January 18, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (D) an Act to amend the Judges' Act.—Hon. Mr. Choquette.

Bill (9) an Act to amend the Inspection and Sale Act.—Hon. Mr. Thompson.

SUPERANNUATION OF J. B. CAOUETTE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Under what Act or section of an Act has Mr. J. B. Caouette, of Quebec, post office inspector, been superannuated?
2. What reason has been advanced to explain his superannuation? Is it old age, ill-health, or some physical incapacity?
3. At what date did Mr. Caouette begin to contribute to the superannuation fund, and what was the amount of his annual contribution?
4. Under what section of the Act was the amount now paid to Mr. Caouette, as superannuation allowance, fixed?
5. Is he paid monthly, every three or six months or yearly?
6. At what date was the last instalment of his yearly allowance paid?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. Superannuation and Retirement Act, section 6, chapter 17, Revised Statutes.
2. Ill-health.
3. April 16, 1875. The deduction for the superannuation fund is a percentage on the salary paid. Mr. Caouette paid at the rate of 1½ per cent from the 16th April, 1875, to the 22nd of May, 1882, and at the rate of 2 per cent from the latter date to the 15th of April, 1910, when he ceased to contribute to the fund, having completed thirty-five years' service. The deduction for the fund increased as the salary increased.
4. Superannuation and Retirement Act, section 11, chapter 17, Revised Statutes.
5. Monthly.
6. 31st December, 1910.

NATIONAL TRANSCONTINENTAL RAILWAY BRANCH LINES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What are, east of Winnipeg, as far as Moncton, the different branch lines which the National Transcontinental Commission has the right to construct, from a fixed point on the main line?
2. What is the length of each of these branch lines?
3. What are the branch lines actually constructed?
4. What are the branch lines in course of construction; and what is the length already completed?
5. What are the branch lines authorized by law on which no work has been executed outside exploration or location operations?
6. Under what Act or section is the right to construct these branch lines claimed?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answer to all these questions is comprised in the answer to the first, which is none.

CENTRAL RAILWAY STATION AND BUILDINGS, QUEBEC.

MOTION

Hon. Mr. LANDRY moved:

That a humble Address be presented to His Excellency the Governor General, praying His Excellency will cause to be laid on the table of this House copies of all documents concerning:—

(a) The purchase at Quebec of the land necessary for the location of a central station on the site of the Champlain market.

(b) The construction of the said station.

(c) The construction of the workshops of the Grand Trunk Pacific.

(d) The selection of the land on which the workshops are to be erected, and copy of the correspondence in relation to these subjects.

Rt. Hon. Sir RICHARD CARTWRIGHT—There is no objection to the motion.

QUEBEC BRIDGE COMPANY.

MOTION.

Hon. Mr. LANDRY inquired:

1. In 1884, did a Federal Statute (47 Vict., ch. 78) confirm the legal existence of the Quebec Bridge Company?

2. In 1901, did not another Federal Statute (1 Edward VII, ch. 81), give birth to a company known as 'The Quebec Terminal and Railway Company'?

3. In 1903, after having been for two years completely distinct from one another, did not the two above mentioned companies amalgamate, constituting a new company, to which a Federal Statute (3 Edward VII, ch. 177) gave the name of 'The Quebec Bridge and Railway Company'?

4. Was it not during the same year, 1903, that were signed between the Quebec Bridge and Railway Company, the agreements which gave to the government the power to substitute itself to the Bridge Company and to complete at a certain date the colossal enterprise of the construction of a bridge over the St. Lawrence near Quebec?

5. Was not this substitution of the government to a private company confirmed by federal legislation in 1908 at the time of the adoption by parliament of chapter 59 of 7-8 Edward VII?

6. Under the said legislation has the government pased an order in council enacting that it take hold of the whole of the undertaking, assets, properties and concessions of the said Quebec Bridge and Railway Company?

7. When was this order in council passed?

8. What composes the whole of the undertaking, assets, properties and concessions of the said company mentioned in the law?

9. Has any part of the said whole of the undertaking, assets, properties and concessions of the company been transferred to the Grand Trunk Pacific Railway Company, or to the National Transcontinental Commission?

10. What was the part so transferred?

11. Does it comprise the bridge or some of the railway lines from the bridge and ending at the city of Quebec or at some place on the line of the Canadian Pacific railway, on the north, and of the Grand Trunk railway on the south of the river?

12. Are not the construction of the bridge and of the railway lines from the bridge, north and south of the St. Lawrence river, under the exclusive jurisdiction of the government who have kept the entire control thereof?

Rt. Hon. Sir RICHARD CARTWRIGHT —With regard to these questions, the department has informed me that the answer will be so voluminous that it could not be given in the form of a reply, but if the hon. gentleman will convert it into a motion for a return I shall have no objection to it.

Hon. Mr. LANDRY—Then I will change the notice and move for an address embodying the information asked for in the inquiry.

The inquiry was changed accordingly, and as a motion it was agreed to.

CHOLERA ON THE STEAMSHIP 'ROYAL GEORGE.'

INQUIRY.

Hon. Mr. LANDRY inquired:

1. When did the 'Royal George,' having on board the Russian, Said Godlieb, stricken with cholera, arrive at Quebec?

2. At what date had he left Bristol?

3. Is it a fact that before embarking at Bristol on board the 'Royal George,' Godlieb had spent eight days in London, and that even before arriving in London he had spent eight days on board of a Danish ship during the whole time between the journey from Leban to London?

4. Is it the case that at Leban the Russian, Godlieb, was subjected to a serious medical examination before sailing for London?

5. Was he subjected to a second examination fifteen days later, when he took passage on board the 'Royal George'?

6. What was the result of such examination, if any?

7. Was it a known fact that cholera was or had been prevalent at Leban, whence the Russian immigrant came?

8. Was it ascertained whether the Russian immigrant, coming from a country infected by cholera, had undergone the necessary medical examination?

9. Was it equally ascertained whether the clothing belonging to the immigrant had been properly disinfected?

10. And if these elementary precautions had not been taken either at London or at Bristol, how is it that they had not been taken on board the ship which carried from Europe to America an immigrant coming from a centre stricken with cholera?

11. How did it happen that such an immigrant, actually stricken by the terrible pest, the symptoms of which appeared during the trip across the ocean, could have without detection, skipped the sanitary line of the Grosse Isle quarantine station and have arrived and disembarked at Quebec?

12. Who, at Quebec, examined the diseased and discovered the nature of the disease?

13. Have the diseased and the ship carrying him been sent back to the Grosse Isle quarantine station?

14. Is the diseased still in quarantine?

15. Has the vessel been completely disinfected and when?

16. How many passengers were on board the 'Royal George' during the trip?

17. How many among them were sent to quarantine and for how long?

18. How many were in a position to leave the ship before it had been sent back to Grosse Isle or had been disinfected?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. 17th November, 1910.

2. 8th November, 1910.

3. Yes.

4. He states that he was examined as to his eyes and skin.

5. Would be examined before embarkation under the British Board of Trade rules.

6. Negative.

7. No.

8, 9, 10. Answered by 7.

11. The attack was so slight that the man did not report himself sick to the ship's surgeon.

12. The medical officer of the United States public health and marine hospital service, the man being ticketed through to Wisconsin.

13. Yes.

14. Yes.

15. Yes, 18th November, 1910. No further case has occurred on the vessel.

16. 354.

17. 260, for 5 days after they were landed and disinfected at the quarantine station. No subsequent case has occurred amongst them.

18. None of those who had come in contact with the suspect.

CONSTRUCTION OF THE NATIONAL TRANSCONTINENTAL RAILWAY.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the House do issue for a return showing:—A. As relates to the main line of the Transcontinental:—

1. The respective length in miles of each of the divisions of the Transcontinental, named division A, division B, &c., from Moncton to Winnipeg, and specifying in which province each of the divisions is located.

2. The estimated cost, at the outset, of the construction of the road in each division.

3. The actual price paid, on the 15th January instant, for the building of the line, sidings, bridges and other necessary works in each division.

4. The approximate cost in each division of the Transcontinental, of what remains to be constructed for the completion of the road.

B. As relates to the branch lines of the Transcontinental:—

1. The respective length of each of the said branch lines, specifying the district and the province within which the said branch lines are located.

2. The estimated cost, at the start of the construction of each of the said branch lines.

3. The actual cost, up to the 15th January instant, of the construction of said branch lines.

4. The probable cost of the works to be executed on each of the said branch lines.

5. The indication of the special section of the Act under which each branch line has been constructed.

6. The mention of all other branch lines proposed to be constructed by the Transcontinental Railway Commission or the government, showing the length and probable cost thereof.

The motion was agreed to.

RUMOURS CONCERNING SENATOR CASGRAIN.

INQUIRY.

Hon. Mr. LANDRY—Before the orders of the day are called, I wish to draw the attention of the House and the government to the following news item found in the Montreal 'Star' of yesterday:

> Senator Casgrain, of Montreal, was in New York between trains on Saturday. He was on his way to Washington, it is understood, in connection with reciprocity matters.

I should like to know if there is any foundation for that statement? I should like to know if our plenipotentiaries at Washington have asked Senator Casgrain to join them to assist in hastening the negotiations at Washington. There is another rumour circulating through the country that Senator Casgrain is to succeed Lieutenant Governor Pelletier at Quebec.

Hon. Mr. WATSON—Oh, no.

Hon. Mr. LANDRY—We do not know. He might have gone to Washington to make arrangements for the succession. I should like to know if the government have asked Senator Casgrain to assist in settling the reciprocity question?

Hon. Mr. CASGRAIN—For the information of the hon. gentleman and this House. I may say there is as much truth in the one rumour as the other. There is none in either.

Hon. Mr. LANDRY—I have asked the government for information.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no further information to communicate as to Senator Casgrain.

Hon. Mr. LANDRY—I suppose it is a confidential matter.

INCORPORATION OF RAILWAY COMPANIES BILL.

SECOND READING.

Hon. Mr. DAVIS moved the second reading of Bill (A) An Act to provide for incorporation of railway companies.

Hon. Mr. CASGRAIN—Explain.

Hon. Mr. DAVIS—On two previous occasions I brought this matter before the Senate, but did not elicit as full a discussion on the subject as it deserved. Still the press has taken it up and it has been favourably received by the press throughout the country. The object of the Bill is to provide a new system for the incorporation of railways. The old system that has been in force for a great many years has outlived its usefulness, and the plan which I submit is one which will be a great improvement on the old system of granting railway charters. As every one knows who has had experience on the railway committees of the two Houses, as far as granting charters are concerned the committee have very little power. They have to follow certain rules which are laid down, and outside of those rules very little can be done. Hon. gentlemen will agree with me that after we have granted the charters and given extensions of time to the companies asking for them, the usefulness of the committees of both houses if they ever had any, has gone, and that the time of those committees could be better occupied with other work in connection with the affairs of the country.

I submit that this Bill is a step in the right direction and is keeping up with the times. The business of the country is increasing rapidly, and it is absolutely necessary that the time now wasted in the Railway Committee in both Houses should be employed more usefully in some other direction. I wish to draw the attention of the House to the record of what the committees have done in the last 20 years. We have been employed largely in granting railway charters, and I will show the House how much our labours have conduced to the benefit of this country. We have granted a great many charters and renewals of charters, but so far as the actual work in connection with those charters is concerned, little or nothing has been done. There is a class of men in this country called 'chartermongers', and I suppose other countries have a similar class. Persons who imagine that they can obtain a charter which they will be able to dispose of, come to parliament for it. Under our procedure it is inexpensive. The committee never inquire into the bona fides of the promoters, or their financial ability to build one trestle on the road, but they are granted power to build a railway sometimes two or three thousand miles long, and expropriation powers to go on people's land and destroy it, without inquiring as to whether they can pay for the damage done. After the charter has been in existence for two years, without a shovel full of work having been done, they come back to parliament, and state that something has rendered it impossible for them to finance their road, and they ask for an extension of two years time, which is granted. I venture to say that some of these charters have been kept alive for 25 years in that way, although not a shovel full of dirt has been excavated on any one of them. Any one who listens to the discussions in the committees of the House of Commons in regard to applications for extensions of time, will see that the members have become disgusted with the practice, and the people of the country look upon the matter so seriously that petitions have been forwarded and resolutions from boards of trades have been presented to the government, and visits have been made here, as in the case of my own city, where the mayor has been endeavouring to put a stop to this kind of thing. The people say: 'These men have had years and years to build the road and have not shown that they ever tried to do so, but are simply jockeying like two professional wrestlers on the stage. They say: 'No mat-

ter what contract we entered into, we are going to go south and build a road, but in the meantime we are going to hold what we have in the north and keep the charter'. It may be said that a charter does not amount to anything, but when people outside of the Dominion are asked to furnish money to finance such an enterprise it does amount to something. Suppose a charter is granted to build a road through a tract of country, and it is a fertile country, there is perhaps traffic enough to maintain one road, but not enough for two, the Canadian Pacific railway and the Canadian Northern both have charters for a line through that country. The moment the Canadian Northern railway talk about building, the Canadian Pacific railway say: 'Oh, we are going to build a road there right along side of it.' Now that is going to endanger their schemes to obtain capital outside of Canada, because people will say: 'That district will support one road, but not two, and when we are asked to lend money to finance the construction of two roads, we are not going to do it.' In this way men who are prepared to build a railway are shut out and cannot get money to build. I submit that such a condition should be put an end to. We know very little about the topography of the country where we grant charters, or the probable cost of the road, or what bonding powers should be given, or anything else. A certain number of gentlemen with a lawyer that they employ come along and hang up a map in the Railway Committee room, and they take the pointer and say: 'This is a charter to build a road from Timbuctoo to some other place,' and some member asks: 'How far is it?' and the promoter says: 'I do not know, something like one thousand miles'. Then some member will say: 'You are asking for large bonding powers, $40,000 a mile. We understood that roads could be built in that class of country for $15,000 a mile. Why do you ask for $40,000? The gentleman who is explaining the matter has a good imagination—and the better his imagination the more successful he is on the committee—and he points out the difficulty with streams, rivers, and hills. We do not know whether there are streams, hills or rivers on the route and we have to take his word for it, and we say: 'If it is true, that all these difficulties exist in the construction of a road in that country, we must give you the bonding powers you ask for.' If the road is ever built the question is will the money secured on the bonds go into the road, or will part of it go into the road and part of it into Argentine or Brazil or some other country? That is a proposition that is bothering the country at the present time. I believe the Bill now before the House will do away with speculation in railway charters. I have adopted the United States system. In the United States the granting of charters is practically free. Over there they must be bona fide applications, because the promoters must put up money. Anybody who can raise, say, about $500 a mile, cash in the bank, can obtain a charter, after complying with the Act, to build a road. They do not require to go to the legislature, but they go to the Railway Commission and to the Secretary of State, and after they obtain the approval of the Railway Commission they receive a certificate from them, giving permission to build the road, and if they do not proceed with the construction, the $500 spent is forfeited. I have gone through the practice in every state of the union, and have endeavoured to ascertain what would best suit the circumstances in this country, and I have framed the present Bill largely from the statute of the state of Massachusetts. I have here the Railway Acts of Massachusetts, Michigan and Indiana, and in no case is there any impediment placed in the way of persons building a road if they want to build it; but they must have some money before they ask the country to grant them the right to build. I ask by this Bill that people who have money to construct a road be given the right to do so, and that people who have no money and no prospects of any should not be given that authority. Capitalists in foreign countries do not understand our system here, and the fact of parliament granting a charter to gentlemen who are asking powers to build a road is looked upon as

putting a government stamp on the proposition. The promoters go to foreign countries, and say : 'Here we have a charter from the Dominion parliament,' and people who do not understand it invest their money. Thousands have lost money in that way, which is an injury not only to them but to the people of Canada, because it affects our credit. We want to see that every dollar of money brought into the country is properly invested, and provides a fair return. In that way we shall attract more capital than we have been able to get in the past. By giving charters to speculators we enable them to go to England and get the trust moneys of widows and orphans invested in these ventures, and the first thing they know the whole thing has gone up in smoke, to the great injury of the credit of Canada. It is time such a practice should be put a stop to, and this Bill of mine will have that effect. The work of the Railway Committee of this House in granting these charters is the case of a mountain in labour producing a mouse. This document I am about to submit to the House to be placed in our record is rather lengthy, but it is valuable. It shows the number of railways which have been chartered in the last 20 years, the mileage of those roads, the extensions of time that have been asked for, and the number of charters that have lapsed, and the amount of mileage that has been built. It will show what our labours have amounted to. I will give the summary. I will leave out the charters granted to the Canadian Northern, the Grand Trunk railway and the Canadian Pacific railway and merely take the small fry. We have granted charters for 223 railroads. Some mileage has been built by 23 and nothing has been done by the other 200. One hundred and fourteen charters have lapsed. The extensions of time granted were 221. We have granted a total mileage of 78,181, and out of that there has been 1,346 miles built, and that has been built by one road in Quebec and a couple of others ; the others have built four, five, or six miles. I might say six railways have built the total amount. The following is the statement in detail :

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.

	Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
1.	Annapolis Atlantic.—Annapolis to Liverpool, N.S. Branches to Shelburne, Sand Pt., Barrington and Lockport.	1888	150	0	.....	Lapsed.
2.	Belleville & Lake Nipissing.—From point at or near Belleville to Queensboro and Bannockburn, over C. P. ry. to Coe Hill, thence to Bancroft and to C. P. ry. near Lake Nipissing.	1888	200	0	1890 1892	Lapsed.
3.	Canada & Michigan Tunnel.—Tunnel under Detroit river and railway approach not exceeding 5 miles.	1888	10	0	....	Lapsed.
4.	Chatham.—To acquire line Chatham Jct., to Chatham, to construct extension to Miramichi river and Branch to Miramichi river in the Parish of Nelson.	1888	12 600	0 0	.....	Lapsed. Lapsed.
5.	Chinook Belt & Peace River.—Calgary to Edmonton, Dunvegan and to a point 400 miles west of Edmonton.	1888				
6.	Collingwood & Bay of Quinte.—Collingwood via Bradford, Exbridge, &c., to L. Ontario near Brighton, Trenton or Belleville.	1888	180	0	1891	Lapsed.
7.	New York, St. Lawrence and Ottawa.—Ottawa to Brockville or point between Brockville and Westport.	1888	70	0	.....	Lapsed. Lapsed.
8.	Ottawa & Parry Sound.—Renfrew to Eganville, Killaloe and Parry Sound.	1888	200	0	....	
9.	Pontiac & Renfrew.—Point between Braeside and Arnprior to point on Pontiac Pacific Jct. ry. between Quyon and Smiths Station, thence to Desert.	1888	80	4	.....	
10.	St. Lawrence & Adirondack.—From Salabery de Valleyfield Co. of Beauharnois to Huntingdon, to reach frontier of New York State—with leased lines.	1888	78	46	1889	
11.	South-Western (leased to St. Lawrence & Adirondack).—From Caughnawaga to Atlantic & North West Bridge over River St. Lawrence to the International Boundary at or near Dundee.	1881	.....	.....	1891	
12.	Tobique, Gypsum & Colonization.—From point on the New Brunswick Ry., at Perth Centre to 'The Plaster Rock' thence to a point on proposed Restigouche & Victoria Co. ry. at Nictaux.	1888	80	28		
13.	Western Ontario.—From Port Hope, touching Aurora, Newmarket, Shelbourne, Durham and Walkerton to Inverhuron.	1888	200	0	.....	Lapsed.
14.	Alberta Railway & Coal Co.—From Lethbridge to International boundary line to connect with the Montana railway system. Extended (1892) through Crowsnest Pass to Hope, B.C.	1889 1892	700	111	1892	
15.	Assiniboia, Edmonton & Nipigon.—From Swift current Northwesterly, crossing Saskatchewan river near junction of Red Deer river, thence to North end of Sullivan lake, thence northerly to N.E. Cn. of Beaver lake, thence N. and W. to the Saskatchewan, thence to Edmonton, thence N.W. to Peace and Smoky rivers.	1889	800	0	.....	Lapsed.
16.	Calgary, Alberta & Montana.—From Calgary to Fort McLeod and International boundary in R. 24 W. of 4th Mer.	1889	160	0	.....	Lapsed.
17.	Cobourg, Northumberland & Pacific.—From Cobourg Harbour to Townships of Mannora and Belmont.	1889	50	0	1891 1892 1894 1899	Lapsed
18.	Kootenay & Athabasca.—From Revelstoke to the International boundary between Kootenay and Columbia rivers, with branch to Slocum lake.	1889	180	0	....	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
19. Lac Seul.—From Shelley station on the C. P. ry. to White Mud Lake on Winnipeg river.	1889	50	0	.....	Lapsed.
20. Moosejaw to Edmonton.—From Moosejaw to Elbow of South Saskatchewan river and Edmonton.	1889	450	0	.....	Lapsed.
21. Northwestern Junction & Lake of the Woods.—From West Lynne, Man., to Portage La Prairie, and from Rosenfeld Junction to Brandon and Harrowby, with branches from Brandon to South Antler Creek and West Lynne to Lake of the Woods.	1889	500	0	.....	Lapsed.
22. Ontario, Manitoba and Western.—From Point Arthur to Winnipeg via Narrows of Lake of the Woods, and branch from Seine river to Rainy river.	1889	500	0	.....	Lapsed.
23. Red Deer Valley.—From Calgary northeasterly to point on Red Deer river in Tp. 32, R. 21, W. of 4th Mer., thence to Tps. 30 to 32, R. 22, also from Cheadle Station to junction with Calgary line Tp. 26, R. 25, also branch from main line in Tp. 24, R. 29, to a point between Sheppard and Calgary, also branch from point on main line, Tp. 30, R. 25, easterly to Red Deer river.	1889	120	0	1891 1894 1897 1899 1900 1903 1905	Lapsed.
24. Saskatchewan Railway & Mining.—From Dunnmore to Crossing of South Saskatchewan river near Drowning Ford, thence to Saskatoon.	1889	250	0	1890 1891 1898 1899	Lapsed.
25. Three Rivers and Western—From Three Rivers, Que., via Quinzé Rapids, &c., to the third mile post on thewestern boundary of Quebec, thence to connect with Nipissing and James Bay railway.	1889	400	0	.....	Lapsed.
26. Union—From Pembroke, Ont., via Perreton, Beachburg and Forresters Falls to a point in township of Ross on the Ottawa river, and a branch from said point on the Ottawa river to Renfrew.	1889	50	0	.....	Lapsed.
27. Victoria, Saanich and New Westminster—From Victoria to Swartz bay, with branch from Victoria to Esquimalt. On mainland from Point Roberts to New Westminster, with branches to city of Vancouver and Canoe Pass to Carry Point, Lulu Island. To International boundary at Blaine, Washington Territory, also from Fraser river crossing to Liverpool. Also from Canoe Pass branch across Westham Island to Pelly Point, &c.	1889 1891	100	0	1891	Lapsed.
28. Brandon and Southwestern—From a point in township 1, range 23 or 24 west of Principal Meridan, thence to C.P.R. at or near Brandon. Also (1899) from a point in township 1 to west boundary of Manitoba. Also (1900) to Gladstone, Carmen and Winnipeg, also a number of branches.	1890	70	.....	1894 1896 1898 1900 1903	
29. Moncton and Prince Edward Island railway and Ferry—From Buctouche to Richibucto Cape and from Cape Wolf, P.E.I. to junction with the Prince Edward Island railway with ferry, &c.	1890	25	0	1893 1894	Lapsed.
30. Montreal Bridge—Bridge and approaches over the St. Lawrence river and lines to connect with other railways. Name changed (1905) to Montreal Bridge and Terminal.	1890	5	0	1891 1897 1905	
31. Mount Forest, Markdale and Meaford—From Mount Forest via Markdale to Meaford.	1890	50	0	.....	Lapsed.
32. North Canadian Atlantic Railway and Steamship Co.—From Quebec to the eastern boundary of province of Quebec, and from Betsiami river to Lake St. John.	1890	1,000	0	.....	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

	Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
33.	Ottawa, Morrisburg and New York.—From Ottawa or point in Carleton Co., on the St. Lawrence and Ottawa or Canada Atlantic railway opposite Goose Neck island or point within three miles of Morrisburg.	1890	50	0	.....	Lapsed.
34.	Owen Sound and Lake Huron—From Owen Sound via Tara and Paisley to Goderich with branch to Kincardine.	1890	90	0	.....	Lapsed.
35.	Sault Ste. Marie and Hudson bay—From Sault Ste. Marie to Moose Factory on James bay.	1890	450	0	.....	Lapsed.
36.	Atikokan Iron Range—From point on C.P.ry. between Carlstadt and English river to Sturgeon Falls.	1891	100	0	1896 1897	Lapsed.
37.	Brighton, Warkworth and Norwood.—From Brighton on Presqu'isle bay to point Ontario, Quebec railway at Norwood, thence through districts of Haliburton and Nipissing to the main line of the C.P.Ry.	1891	200	0	.....	Lapsed.
38.	Buffalo Lake and Battleford Railway, Coal and Iron Co.—From point on Calgary and Edmonton railway at crossing of Blind Man's river to Battleford with branch line.	1891	350	0	.....	Lapsed.
39.	Burrard Inlet and Westminster Valley—From on International boundary in township 16, New Westminster district, northwest to a point on north side of Fraser river and branch to Burrard Inlet.	1891	35	0	.....	Lapsed.
40.	Chatsworth, Georgian Bay & Lake Huron—From village of Chatsworth to point in Tp. of Derby, thence via village of Tara to Southampton and branch from above point in Tp. of Derby to Wiarton.....	1891	50	.....	.....	Lapsed.
41.	Kingston & Pontiac.—From point in Tp. of Wright on the Ottawa & Gatineau ry. to Renfrew, Ont.....	1891	50	.....	.....	Lapsed.
42.	Manitoba & Assiniboia Grand Junction.—From Regina easterly to crossing of the Assiniboine river in Tp. 22-23, r. 29 w. of Pr. Mer. thence N.E. to point in Lake Dauphin District, on line of the Winnipeg & Hudson's Bay ry. thence to Lorne Point, Lake Winnepeg with branch from said Assiniboine crossing to Brandon, and from Binscarth to the Souris Coal fields.....	1891 1892	660	.....	.....	Lapsed.
43.	Peterboro', Sudbury & Sault Ste. Marie.—From point between Cobourg and Brighton to Peterborough, Bobcaygeon, or Lakefield, thence to Kinmount thence to point Nor. Pac. Junc. Ry. between Port Carling and Burks Falls, thence to Sudbury and Sault Ste. Marie.....	1898	500	.....	.....	Lapsed.
44.	Rocky Mountain Ry. & Coal Co.—From Anthracite on C.P.R. thence Northerly to Cascade R. to S. Forks of Red Deer R. to Red Deer Forks Coal Mines.....	1891	50	.....	1894 1903	
45	Buckingham & Lievre river.—From Buckingham to source of Lievre river and to the Ottawa river.....	1892	180	.....	.....	Lapsed.
46.	Canso & Louisbourg.—From Strait of Canso via St. Peters to Louisbourg and Sydney. Built to St. Peters by Cape Breton Ry. Co.	1892	120	31		
47.	Ottawa Valley.—From St. Andrews to Carillon and Grenville to point near Calumet on the C.P.R.	.....	15	.....	.....	Lapsed.
48	Winnipeg & Atlantic.—From Winnipeg, north of Lake Nipigon to Bay of Seven Islands, Quebec...	1892	1500	.....	.....	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

	Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
49.	Atlantic & Lake Superior.—From Gaspe Bay, Quebec to St. Mary's river, Algoma, Ont.	1893	1200	100	1894	
50.	Alberta Southern.—From Calgary, Southeasterly to International boundary at Milk River, and connect with U. S. Rep.	1894	250	.....	.....	Lapsed.
51.	Cariboo.—From Kamloops or Ashcroft to Barkerville, Cariboo District, and power to extend to point on Fraser river north of Quesnelle river.	1894	230	.....	.....	Lapsed.
52.	Duluth, Nipigon & James Bay.—From Nipigon Northeasterly, crossing Albany river between Martin's Falls & confluence of Kenogami & Albany river to James Bay at mouth of Albany river. Branches to Attahowahoiskat and Equan rivers.	1894	500	.....	.....	Lapsed.
53.	Elgin & Havelock.—To acquire the Elgin Petitcodiac & Havelock ry., and to built from Havelock to Chipman, from point on said line to Salisbury or Moncton and from Elgin to Alma.	1894 1903	100	28	1903	
54.	Cleichen, Beaver Lake & Victoria.—From Cleichen northerly west of Hand Hills, east of Beaver & Buffalo Lakes to Victoria, Alberta.	1894	250	.....	.....	Lapsed.
55.	Lake Megantic.—From Quebec Central Ry. at Lake Megantic to point on International boundary at Dead river, or Indian stream so called.	1894	20	.....	.....	Lapsed.
56.	Metis, Matane & Gaspe.—From a point on the Intercolonial Ry. between Ste. Flavie and Little Metis to the tide water Parish of Matane thence to point St. Peter or Douglastown of Gaspe.	1894	225	.....	.....	Lapsed.
57.	Pontiac & Ottawa.—From Black River Tp. of Waltham to Ferguson's Point, Tp. of Sheen and to a point in Tp. of Petewawa, Co. of Renfrew.	1894	25	.....	.....	Lapsed.
58.	Lindsay, Haliburton & Mattawa—From Gelert or Haliburton on Midland Div. G.T.R. to Mattawa, with branch from Gelert to Huntsville Muskoka, also from Great Opeongo lake, the Ottawa river between Deux rivieres & Rockcliffe.	1895	200	.....	1897 1899	Lapsed.
59.	Ottawa & Aylmer Ry. & bridge (Electric) From Ottawa or Hintonburg via Deschesnes or Rapids to Hull and Aylmer.	1895	12	.....	.....	Lapsed.
60.	Trans-Canadian.—From City of Quebec, thence north of Lake Winnipeg, via Yellowhead Pass to Port Essington or Port Simpson	1895	3,000	.....	1902 1904 1908	
61.	Hudson's Bay & Pacific.—From Port Churchill on Hudson's Bay to Fond du Lac on Lake Athabaska, also from Port Churchill to N.W. end of Lake Winnipeg, thence to Prince Albert, thence to Calgary, and from Manitou lake to Edmonton.	1896	1,800	.....	1898 1901 1903 1905 1909	
62.	Huron & Ontario.—From Port Perry to Kincardine, Priceville to Kincardine, Walkerton to Goderich, with a connection between Lucknow and Kincardine.	1896	250	.....	1903 1906 1907 1909	
63.	Schonberg & Aurora.—From point between King & Newmarket to Schonberg, 1906—branches Beaton to Collingwood, Oshawa to Bowmanville. From Bond lake to Big Point, Barrie & Sutton.	1896 1906	135	25	1900 1906	
64.	British Yukon Mining, Trading & Transportation Co., From Head of Lynn Canal through the White Pass to Selkirk. Name changed (1900) to British Yukon ry.	1897	300	90	1901 1908	
65.	Hudson's Bay & Yukon Ry. & Navigation Co., From Chesterfield Inlet, Hudson's bay to Great Slave Lake, and from a point on the Mackenzie R. to point on the Porcupine or Yukon river. Changed (1899) to Hudsons bay or Northwest ry.	1897	1,000	.....	1899 1902 1904	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
66. Kaslo & Lardo Duncan.—Kaslo to Lardo, thence to South end of Upper Kootenay lake, thence to mouth of Duncan river, thence to head water of Duncan river with branch from mouth of Lardo river to Lardreau on Arrow lake.	1898	150	.....	1900 1905	Lapsed.
67. Manitoda & Pacific.—From Portage la Prairie to Belmont, thence to Lethbridge.	1897	700	.....	.....	Lapsed.
68. Minden & Muskoka.—From Irondale Junction to village of Minden to point on Georgian bay in District of Muskoka, with branch from Minden to Mountain Lake &c.	1897	100	.....	.....	Lapsed.
69. Montreal & Southern Counties (Electric). From northern limit of County of Chambly to Sherbrooke.	1897	80	.....	1878 1905 1910	
70. Cowichan Valley.—From mouth of Cowichan river in Vancouver island to point on the Alberni Canal at mouth of Franklin river, with branch along Nitinat river and lake to the outlet of Nitinat lake.	1898	100	.....	1900	Lapsed.
71. Lake Bennett & Klondike.—From Marsh lake, Northwest Ter., to a point on Hootalinqua river, 35 miles, and railway or tramway on either side of Miles Canon and White Horse rapids, &c.	1898	35	.....	.....	Lapsed.
72. London & Lake Huron.—From London to Lucan and Centralia, Tp. of Stephen to Grand Bend, on Lake Huron.	1898	40	.....	.....	Lapsed.
73. Montreal & James Bay.—From Labelle, Ottawa Co., northerly to point near height of land between 48th and 49th parallels of latitude.	1898	160	.....	.....	Lapsed.
74. Temagami.—From Verner Station, C.P.R. to the southerly part of Lake Temagami. Name changed (1905) to Ontario, Northern & Temagami. 1905 from Verner Station, C.P.R., to Byng Inlet.	1898	100	.....	1900 1902 1904 1905 1906	Lapsed.
75. Toronto & Hudson's Bay.—From Toronto to mouth Moose, Albany or Churchill river, with branch to Gravenhurst, branch from near Temagami lake to North Bay or Nipissing Junction and branch Parry Sound to Sudbury and Wahnapitae lake.	1898	1,500	.....	.....	Lapsed.
76. Western Alberta.—From point on International boundary, west of R. 20, W. of 4th Mer. to Sarcee Indian Reserve, to Canmore and Anthracite, to easterly base of the Rocky Mountains.	1898	350	.....	1900 1903 1905 1908	
77. Algoma Central & Hudson's Bay.—From Sault Ste. Marie to Dalton Station, C.P.R., thence to Michipicoten Harbour, and to James bay not farther north than Equam river.	1899 1901	600	90	1901 1905 1907 1909 1910	
78. Arthabaska.—From Dudswell to Maddington Falls, Parish to Ste. Anne au Sault.	1899	50	.....	.....	Lapsed.
79. Edmonton & Saskatchewan.—From Strathcona, Alberta to Fort Saskatchewan, thence N.E. to a point on the Saskatchewan river near Victoria, thence southerly to settlement of Marrawan, thence to Beaver lake, Logan, Cooking lake and to point of beginning at Strathcona.	1899	150	.....	.....	Lapsed.
80. Edmonton & Slave Lake.—From Edmonton, via Athabaska Landing and Lesser Slave Lake to Peace River.	1899	400	.....	1902 1904 1909	
81. Klondike Mines.—From Klondike City Bonanza Creek, to the Divide to Dominion Creek to Indian River, Yukon River to Dawson City, with branches on Klondike river, Hunker creek, Bean creek, Quartz, Sulphur, Eldorado and other creeks.	1899	120	32	1201 1902 1903 1907	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
82. Niagara, St. Catharines & Toronto.—To acquire the St. Catharines & Niagara Central ry., and extend same to Fort Erie, also to Toronto via Hamilton, and branch from St. Catharines to Port Dalhousie.	1899	130	40	1905 1096 1908	
83. Russell, Dundas and Grenville Counties.—From South Indian, Russell County, to Prescott.	1899	50	.....	.....	Lapsed.
84. Rutland and Noyan—From junction of the Canada Atlantic and East Richelieu Valley railways to the International boundary.	1899	5	3·5		
85. Sudbury and Wahnapitae—From Sudbury, passing near southerly shore of Lake Wahnapitae to a point on south shore of Lake Temagami.	1899	60	0	.....	Lapsed.
86. Zenith Mining and Railway—From mining location 30 T, N. E. of Nipigon bay to Lake Superior, crossing C.P.R. at Schreiber or Rossport, or point between.	1899	50	0	.....	Lapsed.
87. Lake Superior and Hudson Bay—From Batchewana bay, L. Superior, to James bay, at mouth of Albany River, and Fort Churchill.	1900	1,400	0	.....	Lapsed.
88. Manitoulin and North Shore—From Little Current northerly and easterly, 100 miles, crossing C.P.R. at Onaping or Cartier, also from its line in Tp. of Drury or Hyman to Sudbury, also from Little Current to point on shore of Manitoulin Island, and from Torbemoray, Bruce Co., to town of Meaford through Wiarton and Owen Sound.	1900	250	22	1901 1903 1905 1906 1907 1908 1910	
89. Morris and Portage—From Morris to Portage la Prairie.	1900	65	0	.....	Lapsed.
90. Ottawa, Brockville and St. Lawrence—From Ottawa to Brockville.	1900	60	0	1904 1906 1908 1910	
91. Port Dover, Brantford, Berlin and Goderich—Changed (1902) to Grand Valley. From Port Dover to Simcoe, Waterford, Brantford, Berlin and Goderich.	1900	200	0	1902	Lapsed.
92. Quebec and Lake Huron—From Quebec to mouth of French river, on Georgian bay.	1900	500	0	1904 1906	
93. Quebec and New Brunswick—From Connor Station, Madawaska Co., to St. Charles Jct. on the I.C.R. or St. Anselme, on Quebec Central ry. or Chaudiere Junction. And from Connor Station to Centreville, thence to Woodstock and thence by the St. John River Valley to St. John.	1900	395	0	1903 1908 1909	
94. St. Marys River—From point between Lethbridge and Stirling to the International boundary between ranges 24 and 30, W. of 4th Mer. and branch lines not extending 15 miles each.	1900	65	65	1903	
95. Alberta Central—From point in Tp. 38, R. 23, W. of 4th Mer., District of Alberta, to Village of Red Deer thence westerly to point in Tp. 39, R. 7, W. of 5th Mer.	1901	815	0	1903 1905 1907 1909	
With branch from its westerly terminus near Rocky Mountain House to a point on the Grand Trunk Pacific ry. in or near the Yellowhead Pass, also from its easterly terminus near the elbow of the Battle River to a point at or near Saskatoon or Warmun, also from a point on its main line east of Red Deer to a point at or near Moosejaw.	1909	395	0	1903 1908 1909	
96. Arnprior and Pontiac—From Galetta, Carleton Co., to Quyon Station, Pontiac Co., and power to extend to Arnprior.	1901	20	0	.....	Lapsed.
97. Canada National Ry. and Transport—From Toronto to Collingwood or other port on Georgian Bay.	1901	100	0	1903	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
98. Fort Qu'Appelle — From McLean, or Qu'Appelle or Indian Head Station on the C.P.R. to Fort Qu'Appelle.	1901	25	0	.....	Lapsed.
99. Interprovincial & James Bay—From Lumsden's Mill on the C.P.R. to Des Quinze river.	1901	.....	.....	1903 1905	Lapsed.
100. Kamloops and Atlin—From point on the C.P.R. between Ashcroft and Kamloops lake to the plateau of Bonaparte river thence to point of Caribou wagon road near 100 Mile House, thence to head waters of Beaver river, thence to confluence of Quesnel with Fraser river, with branch to Williams or Antler creek.	1901	200	0	.....	Lapsed.
101. Kettle River Valley—From International boundary near Cascade City, District of Yale, westerly to Carson City, with branch from Grand Forks to point 50 miles up North Fork of Kettle River, also from Grand Forks via Greenwood to the International boundary at Midway, also (1906) Midway to Hedley, Hedley northerly 20 miles, from point on Midway —Hedley line to Penticton, thence by the most feasible route to a point at or near Nicola, also from a point on its line near Coldwater river to Fraser river, at or near Ruby creek.	1901	385	18	1904 1906 1909 1910	
102. Kootenay Central—From Fort Steele to Elko and to the International boundary, also Fort Steele to Windermere, thence to town of Golden, and branches not exceeding 10 miles each.	1901	200	0	1903 1904 1909	
103. Quebec Terminal and Railway—From north terminus of Quebec Bridge to Quebec and from south terminus of bridge to intersection of I.C.R. with the G.T.R. at Chaudiere curve.	1901	12	3	.....	Lapsed.
104. Similkameen and Keremeos—From Penticton via Fish Lake Pass to Fish lake, thence to Keremeos, thence to International boundary at crossing of Similkameen river and branches from Fish lake to Nickel Plate Camp and Twenty Mile Creek and westerly to Princeton.	1901	120	0	1904	Lapsed.
105. Vancouver, Westminster and Yukon—From Vancouver to New Westminster, Vancouver to Squamish Valley to Lillooet, Quesnel and Hazleton or other point on Skeena river thence to Dawson and Western boundary of Yukon Territory, also branches easterly to Tete Jaune Cache and Edmonton.	1901	2,000	0	1905 1906 1909 1910	
106. Battleford and Lake Lenore—From Hobberna Sts. on the Calgary and Edmonton Railway easterly to Lake Lenore thence to point in Canadian Northern railway near Crooked river and branch from Township 40 to 41, Range 24, west and 2nd Meridian to Yorkton.	1902	600	0	1905	Lapsed.
107. Canada Central—From mouth of French river to Lake Wahnapitae, thence to head waters of Montreal river, thence northwesterly to point on Albany river, thence to north end of Lake Winnipeg, thence to points not less than 50 miles north of Prince Albert and Edmonton, thence to Tete Jaune Cache, B.C., with branch to Port Arthur and Fort William.	1902	2,500	0	1903 1905 1906 1907	
108. Essex Terminal—From Walkerville to Windsor, Sandwich and Amherstburg.	1902	18	0	1904 1906 1910	
109. Indian River—From point in existing railways at north end of Lake Megantic to the International boundary at Riviere Morte.	1902	20	0	1907	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
110. Manitoba and Keewatin—From Winnipeg or Selkirk to west coast of Hudsons bay or James bay at mouth of Severn river and branch from main line west of Cat Lake to the C.P.R. at Ignace or to Black river.	1902	12,00	0	1904 1906	
111. Medicine Hat and Northern Alberta—From Medicine Hat to point on the North Saskatchewan river at Victoria, Northern Alberta.	1902	350	0	1903 1905	Lapsed.
112. Nipigon—From Nipigon Bay, on easterly side of Lake Nipigon to the Albany river and to James bay and from point on said line south of Lake Nipigon to Port Arthur and Fort William.	1902	500	0	1904	Lapsed.
113. Nipissing and Ottawa—From south east Bay Lake Nipissing to Trout lake and Opemican on the Ottawa river.	1902	30	0	.....	Lapsed.
114. Pacific Northern and Omenica—From Kitimat Inlet to Hazelton to Teslin or Atlin Lake or boat, also from Hazelton to Peace River Pass, thence to Edmonton.	1902	900	0	1904 1906	
115. St. Lawrence and Northern—From Three Rivers to LaTuque with branch from Grand Mere to point in Parish of St. Michel des Saints.	1902	160	0	.....	Lapsed.
116. Velvet (Rossland) Mine—From Rossland, B.C., southwesterly to Velvet Mines on west side of Sohpia Mountain, thence to the International boundary.	1902	10	0	.....	Lapsed.
117. Yukon Pacific—From White Horse, Yukon Territory, south-westerly to boundary between Yukon Territory and British Columbia, between 136th and 137th meridians.	1902	100	0	.....	Lapsed.
118. Berlin, Waterloo, Wellsley and Lake Huron.—From Berlin to Waterloo, Wellsley Village, Glen Allan, Listowel and Goderich, also (1904) from Wellsley to Stratford, St. Marys, Clinton and Bayfield.	1903	160	0	1904	Lapsed.
119. Brandon, Saskatchewan and Hudsons Bay—From point on International boundary between ranges 23 and 25 west of principal meridian to Brandon, thence to the Pas Mission.	1903	450	70	1905 1910	
120. Brockville, Westport and Northwestern—To acquire the Brockville, Westport and S. S. Marie ry. and build from Westport to S. S. Marie and to North Bay and branch to Barry's Bay or other point on Canada Atlantic railway.	1903	550	45	1905 1907 1909	
121. Canadian Yukon Western—From Dawson, Yukon Territory, westerly to the International boundary.	1903	70	0	.....	Lapsed.
122. Cardiff—From section 31, Township 6 west of 5th meridian to point on Crowsnest branch C.P.R. at Frank or Livingstone.	1903	10	0	.....	Lapsed.
123. Chatham, Wallaceburg and Lake Erie—Chatham, Ont., to Wallaceburg, and Petrolia, also Chatham to Rondeau, also branches between Chatham and Wallaceburg, to Dresden, between Chatham and Lake Erie to Blenheim.	1903	75	35		
124. Coast Yukon—From Kitimat Inlet to Atlin lake thence to the Yukon river, thence to the International boundary via Dawson.	1903	1,000	0	.....	Lapsed.
125. Guelph and Georgian Bay—From Guelph to Elora, Fergus, Arthur, Mount Forest to Owen Sound.	1903	150	0	1905	Lapsed.
126. Hamilton, Galt and Berlin—From Hamilton to Galt and Berlin.	1903	40	0	1905	Lapsed.
127. Hudson's Bay and Occidental—From Fort Churchill to south shore of Lake Athabaska, thence via Peace River Pass to Port Simpson.	1903	1,800	0	.....	Lapsed.

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles	Miles built.	Extensions of time of construction.	
128. Huron, Erie and Buffalo—From St. Thomas to, or near to Fort Erie. From St. Thomas to Sarnia.	1903	200	0	.....	Lapsed.
129. Joliette and Mannan Colonization—From Joliette to Ste. Emelie de L'Energie, St. Michel des Saints and Lake Mannan.	1903	140	0	1905 1909	
130. Kootenay, Cariboo and Pacific—From Golden, B.C., to Tete Jaune Cache, thence to Barkerville and Fort George.	1903	400	0	1905	Lapsed.
131. McLeod, Cardston and Montana—From McLeod via Cardston to the International boundary west of range 21, and branch from point between McLeod and Cardston to a point in Township 1, range 30, west of 5th meridian.	1903	100	0	1905 1908	
132. Niagara, Queenstown and St. Catharines—From St. Catharines to Niagara, Queenstown and St. Catharines.	1903	30	0	1906	
133. Nipissing and Pontiac—From New Liskeard to foot of Lake des Quinze.	1903	35	0	.....	Lapsed.
134. Northwest Coal and Coke (changed 1905 to Great West ry.)—From Bull Park, on North Fork river, Alberta, to Cowley or Livingstone on Crowsnest branch, C.P.R.	1903	.....	0	1905 1907	
135. Ottawa River, changed 1905 to Central of Canada.—From Grenville to Montreal, and branch from St. Andrews to St. Come, up River Rouge to Lake Rouge, and to connect with the Canada Atlantic at Hawkesbury, and thence to Ottawa, and thence to some point on Georgian bay at or near Midland.	1903	380	0	1904 1905 1906 1909	
136. Quebec, Saguenay & St. Lawrence.—From Bay of Seven Islands to Point on Saguenay river between Lake St. John and Tadousac, thence to Quebec, with branches to St. Alphonse, Murray Bay and St. Paul's bay.	1903	450	0	1906	
137. Regina and Hudson's Bay.—From the International boundary between 2nd and 3rd Pr. Mer. to Regina, thence northerly, &c., to Craven, Longlaketon, Strassburg, Carrot river and The Pas, with branch from Craven to Big Quill lake.	1903	600	0	1905	Lapsed.
138. Chrysostum.—To connect the parish of St. Chrysostum with the Montreal and Champlain Jct. ry., the Grand Trunk ry. and township of Hinchbrook.	1903	15	0	.....	Lapsed.
139. Southern Central Pacific.—From Vancouver via Kootenay Pass to point on Old Man river, Alberta, thence to Hudson bay not less than 100 miles north of Fort Churchill, with branch (1906) from main line near Skaist river, B.C., via Kamloops and Yellow Head Pass through Alberta to Cold Lake on main line.	1903 1906	2,000	0	1906 1909	
140. Toronto and Hamilton (changed 1906, to Toronto Niagara and Western), (electric.)—From Toronto to Hamilton, through counties of York, Peel, Halton and Wentworth.	1903	40	0	1904 1906 1909	
141. Alberta Ry. and Irrigation.—Amalgamated with the Alberta Ry. and Coal Co., the Canadian Northwest Irrigation Co. and the St. Mary's River Ry. Co	1904	Mileage given under other companies		1906	
142. Bessemer and Barry's Bay.—From L'Amable Station, Central Ontario ry. to Barry's Bay.	1904 1904	40 1,600	5 0	 1906	
143. Boundary, Kamloops & Cariboo.—From Midway, B.C., to Kamloops, thence via North Thompson River to point on the Nechaco river, thence to Hazleton, thence to Tesliu lake, thence to confluence of the Hootalinqua river with the Yukon river.				1908	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910 inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.	
144. Brantford & Hamilton (Electric).—From Brantford through Tp. of East Brantford, Ancaster, &c., to Hamilton.	1904	23	23		
145. Campbellford, Lake Ontario & Western.—From Point between Blairton and Ivanhoe to Cobourg, Port Hope, Newcastle, Bowmanville, Oshawa & Whitby.	1904	120	0	1906 1908 1910	
146. Chicoutimi & North Eastern.—From Chicoutimi to Rigolet bay at Hamilton Inlet.	1904	800	0	.....	Lapsed.
147. Crawford Bay & St. Mary's (changed 1909 to British Columbia & Manitoba).—From Crawford bay, Kootenay lake, via Crawford creek and St. Mary's river to Fort Steele, and thence through the North and South Kootenay Pass to Lethbridge, and thence southeasterly to Pakowki, thence in a general easterly direction through Alberta and Saskatchewan to Hartney, in Manitoba.	1904	970	.....	1906 1907 1909	
148. Kingston & Dominion Central.—From Kingston via Newboro' and Westport to point on Georgian bay between Parry Sound & Midland. Changed, 1905, to Dominion Central.	1904	240	0	1905 1907	
149. Montreal, Nipissing & Georgian Bay.—From South East bay, L. Nipissing to Arnprior, Ottawa and Montreal, and from South East Bay to mouth of French river.	1904	350	0	.....	Lapsed.
150. Pontiac & Interprovincial.—From Waltham, Pontiac Co., to Ferguson's Point, thence to point on C. P. R. between Petawawa and Chalk River, with branch from point opposite Chapleau to Desjardinville, opposite Pembroke.	1904	35	0	.....	Lapsed.
151. St. Maurice Valley.—From Three Rivers to Shawenegan Falls and Grand Mere, thence to National Transcontinental ry.	1904	250	22	1905 1907 1910	
152. Thorold and Lake Erie (Electric)—From Thorold to Port Colborne, easterly to Fort Erie, and westerly from Port Colborne to Brantford.	1904	80	0	1906	
153. White Horse & Alsek.—From White Horse, Yukon Ter. westerly to the International boundary.	1904	150	0	1906	
154. Algoma Copper Range.—From Batchewana Bay to Superior Copper Mines, thence easterly about 120 miles to point on C.P.R. between Cartier & Biscotasing.	1905	150	0	.....	Lapsed.
155. Anthracite Coal.—From the Coal deposits in tps. 18 and 19, ranges 7 and 8, west of 5th Mer. to Lethbridge.	1905	120	0	.....	Lapsed.
156. Athabaska Northern.—From Edmonton to Athabaska Landing.	1905	100	0	1907 1909	
157. Athabaska.—From Edmonton along north side of N. Saskatchewan River to Tp. 59, R 19, W. of 4th Mer., thence by N.W. end of Smoky Lake to west end of Lac Labiche, thence to the Athabaska river at junction of Clarwater river.	1905	300	0	1907 1909	
158. Brantford & Woodstock.—From Brantford to Woodstock.	1905	30	0	.....	Lapsed.
159. Calgary & Battleford.—From Calgary to Battleford and Prince Albert.	1905	450	0	.....	Lapsed.
160. Calgary, Red Deer & Battleford.—From Calgary to Battleford.	1905	300	0	.....	Lapsed.
161. Lebonk & Thunder Bay.—From point on Thunder Bay, following the Blende River to LeBonk mine on lot No. 1 Herrick's Survey Tp. of McTavish, westerly to Loon Lake.	1905	10	0	.....	Lapsed.
162. London & St. Clair.—From point on Ontario and Quebec ry. between London and Komoka to point on St. Clair river between Sarnia and Lake St. Clair.	1905	70	0	1907	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time for construction.	
163. Montreal, Quebec & Southern.—From St. Guilliaume Sta. on the Montreal and Atlantic ry. to Sorel.	1905	25	0	.....	Lapsed.
164. Moosejaw & Edmonton.—From Moosejaw to elbow of S. Saskatchewan River, thence to Edmonton.	1905	450	0	.. ..	Lapsed.
165. Owen Sound to Meaford.—From Owen Sound to Meaford.	1905	20	0	1908	
166. Trois Rivières, St. Maurice, Maskinongé et Champlain (Electric)—From Three Rivers westerly through Pointe au Lac Yamachiche, &c., to Parish of Maskinongé, also easterly from Three Rivers into Parish of Ste. Anne de la Parade.	1905	60	0	....	Lapsed.
167. Ashcroft, Barkerville & Ft. George.—From Ashcroft or Kamloops to Ft. George and branch from Quesnel to Barkerville.	1906	300	0	1908	
168. Buffalo, Niagara & Toronto (Electric)—From Niagara-on-Lake to Fort Erie, with branch from St. Davids to St. Catharines, Fort Erie to Port Colborne and from main line at crossing of Welland River to Welland.	1906	40	0	.....	
169. Burk's Falls & French River.—From Burk's Falls to French River at C.P.R. crossing.	1906	70	0	.....	
170. Calgary & Fernie.—From Calgary through Kananaskis Pass to Elk River and Fernie.	1906	150	0	1908 1910	
171. Cobalt Range.—From Haileybury to point in Tp. of Lorrain opposite Fort Temiskaming, from Fort Temiskaming to Ville Marie and to Kippewa Sta. on Temiskaming and Northern Ontario ry. also from a point in or near Haileybury, thence westerly to Elk Lake, thence to a point at or near Gowganda Lake.	1906	130	0	1909	
172. Erie, London & Tillsonburg.—From Fort Burwell to London and from point between Port Burwell and Aylmer to Tillsonburg.	1906	50	0	1908 1910	
173. Fording Valley.—From point in British Columbia Southern Ry. between Elk River & Michael Creek to the Fording River Valley, along Henrietta Creek to boundary of Alberta and to the Okotoks, also branch lines up five creeks to 15 miles each.	1906	1 5	0	.. ..	
174. Fort William Terminal & Bridge.—Around islands Nos. 1 and 2, at mouth of Kaministiquia river, &c.	1906	5	0	1908	
175. Hamilton, Waterloo & Guelph.—Hamilton to Elmira and from Hamilton to Elora and Fergus, also from a point in or near Hamilton to Toronto.	1906	135	0	1910	
176. Hillcrest Ry. Coal & Coke Co.—From Morrisey, B.C., to Hillcrest Jct. or Crownest branch, C.P.R., thence to Cardston, Alberta, and branches from Mill Creek and to the Coal deposits in Tp. 5, R. 1, W. of 5th Mer., &c.	1906	150	1·5	.....	
177. Kamloops & Yellow Head Pass.—From Kamloops to Tete Jaune Cache, via N. Thompson, Canoe river and McLellan's creek.	1906	200	0	1908 1910	
178. Prince Albert & North Saskatchewan.—From Prince Albert to Pas Mission.	1906	230	0	.....	
179. Quebec, Midland.—From boundary between Ontario & Quebec at Lake Abitibi to point on west shore of Lake Mattagami.	1906	140	0	.....	
180. Quebec, Montreal & Southern.—To acquire the South shore, the United Counties and East Richelieu Valley Railways, to complete roads and extend from Noyan Jct., to the International boundary.	1906	264	144	.....	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles Built.	Extensions of time of construction.
181. Timagami, Cobalt & Timiskaming. — From point on Lake Timagami to Quinze Rapids, Ottawa river.	1906	100	0	.....
182. Vancouver, Fraser Valley & Southern.—From Vancouver to New Westminster, thence to Douglas on International boundary, from New Westminster bridge to Chilliwack, and to Ladner's Landing.	1906	100	0	1909
183. Windsor, Chatham & London. (Electric).—From Windsor to Chatham and London.	1906	120	0	1908
184. Abitibi & Hudson's Bay. — From National Transcontinental railway between Frederick House river and Abitibi lake to James Bay between Albany and main rivers.	1907	20	0	1909
185. Alsek & Yukon.—From point on International boundary at crossing of Klihini River, thence N.W. along Klihini, Fatsenshini, Shakwak and Alsek rivers, thence along Kluane Lake, Darjek and White Rivers to the International boundary between 62nd and 64th parallels of latitude.	1907	300	0	2909
186. Burrard, Westminster & Boundary Railway and Navigation.—Belt line from Vancouver through New Westminster, Port Moodie, &c., to place of beginning. From proposed bridge to Second Narrows to north boundary of North Vancouver, thence to North Arm and Home Sound, &c., also from New Westminster thence easterly and northerly through Yale Lillooet & Cariboo districts to point at or near Tete Jaune Cache.	1907	500	0	1909
187. Collingwood Southern.—From Collingwood to Baxter on the Sudbury Branch, C.P.R, from Collingwood to Orillia.	1907	75	0	1909
188. Eastern Townships.—From point on the Intercolonial Railway, Parish of St. Leonard, to the junction of the Quebec Central and Maine Central Railways in Wolfe county.	1907	75	0	1910
189. Edmonton, Dunvegan and British Columbia—From Edmonton to Dunvegan, thence along Peace river to its confluence with Parsnip river to Fort George.	1907	650	0	1908 1910
190. Malone and Hopkins Point—From village of Dundee to Hopkins Point, county of Huntingdon.	1907	.....	.....	....
191. Manitoba Radial—From Winnipeg to Clandeboye, Lake Manitoba, to point near Grand Rapids, on Lake Winnipeg, with branch from Winnipeg to Stonewall and Lake Francis.	1907	160	0	1909
192. Nipissing Central—From Latchford to Blanche river, Windigo and point on the Grand Trunk Pacific railway at Matagami River, also from Latchford along Montreal river through townships Barr to Willison, thence northerly to point on Grand Trunk Pacific railway, also Latchford to Temagami station, &c.	1907	500	0	
193. Quinze and Blanche River—From point in township of Dymond, on Toronto and Northern Ontario railway to Des Quinzes lake.	1907	20	.....	1907
194. St. Leon—From Louiseville, Maskinonge county, northward to Alexis, with branches from St. Leon to Three Rivers and to Lake Maskinonge.	1907	50	0	.. ..
195. Saskatchewan Valley and Hudson's Bay—From Edmonton to Smoky Lake, Prince Albert, Pelican lake and Fort Churchill, also from Smoky lake to Ile a la Crosse lake and Pelican lake.	1907	1500	0	.....

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.
196. Winnipeg and Northwestern—From Winnipeg via Stonewall and Mossy Portage to Carrot River valley, thence westerly via Fort la Corne to the Lobstrick river, with branches: Prince Albert to Battleford, Saddle lake to Lake la Biche, Fort Victoria to Athabaska Landing, and southwest to Edmonton, &c.; also from a point on its line at or near the Narrows of Lake Manitoba westerly to township 25, range 30, west of 1st meridian, thence northwesterly to its line of railway at or near Nut Lake, also from a point on the last-mentioned branch at Good Spirit lake, southeasterly to the Grand Trunk Pacific railway, near the 2nd meridian, or between said meridian and boundary of Manitoba.	1907	2100	0	1909
197. Alberta & British Columbia.—From International boundary at crossing of the Kootenay river to Elko, thence to Cowley, Alberta, and to Calgary.	1908	200	0	1910
198. Alberta & Brazeau River.—From point on Calgary & Edmonton ry. between Old and Innisfail to Rocky Mountain House, thence westerly to point in Kootenay Plains in the Rocky Mountains. From point between Big Horn and Sheep rivers, N. Saskatchewan river to Brazeau river, thence along McLeod river to point on G. T. P. ry.	1908	250		
199. Northern Empire.—From point on International boundary east of Cardston, in Tp. 1, ranges 20, 21, 22 or 23, W. of 4th Mer. through Lethbridge to Fort McMurray, thence northwesterly via Ft. Vermilion, through Yukon Territory, via Dawson City to boundary between Yukon and Alaska, with branch from point east of Victoria, Alberta, to Edmonton.	1908	2,000	0	1910
200. Vancouver Island & Eastern.—From Victoria to to Seymore Narrows and from Bute Inlet to Edmonton, also a branch from point at or near Seymour Narrows northerly to Quatsino Sound.	1908	900	0	1910
201. Arnprior & Pontiac.—From point on the Pontiac Pacific Jct. R., between Quyon and Campbell's Bay by way of Portage du Fort across the Ottawa river tp Fitzroy Harbour, thence westerly via Arnprior to point on Kingston & Pembroke ry. at or near High Falls, also from Fitzroy Harbour easterly to Point of C.P. ry. at or near Britannia and to a point on G. T. ry. at or near South March.	1909	60	0	
202. Cabano.—From a point at Long Lake in the County of Témiscouata, on the line of the Transcontinental Ry., thence in easterly direction following the valley of the Cabano river to Cabano.	1909	20	.....	.....
203. Canadian, Liverpool & Western.—From a point on the Transcontinental ry. at or near the Jct. of Ribbon, Mannon & St. Maurice rivers. Thence northeasterly to a point on the southern of Lake St. John, thence easterly along the Saguenay River to mouth of said river, also from mouth of the Saguenay river in a southwesterly direction following the River St. Lawrence to the City of Quebec, thence along the western shore of the River St. Lawrence to Montreal.	1909	500	.....	.....

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.
204. Canadian Western.—From a point on the International boundary in Alberta, between the east side of range 23 and the west side of range 28 W. of the 4th Mer. passing through Town of Pincher Creek to a point on Crowsnest Pass line of the C. P. ry. between Pincher and Cowley, thence northwesterly following valley of the North Fork of the Old Man river to a point near the southerly end of the Livingstone range of mountains thence to Calgary, also from a point near the Livingstone range of mountains thence to a point in the Rocky Mountains W. of Gould's Dome, thence through a pass in the Rocky Mountains to the valley of the Elk river, down the valley of the Elk river to a junction with the C. P. ry. and Great Northern ry. at Michel.	1909	245	.....	.....
205. Kootenay & Alberta.—From a point on Crowsnest branch C. P. ry. between Cowley and Pincher, thence in southerly direction through Beaver valley to North Kootenay Pass, thence southerly down Valley of Flathead river to International boundary also from point on Crowsnest Pass branch of C. P. ry. between Cowley and Pincher, thence through Town of Pincher Creek, the Fishbourn Settlement, Blood Indian Reserve to Mountainview and Cardston, down the Milk River valley to the International boundary at or near Coutts.	1909	180	.....	.....
206. London & North Western.—From a point at or near London, to or near Sarnia, also from London to Lake Huron at or near Grand Bend passing through or near the Town of Ailsa Craig and Parkhill.	1909	110	.....	.....
207. Prince Albert & Hudson Bay.—From Prince Albert thence crossing the Saskatchewan river, and thence in a north easterly direction to the mouth of Nelson river or York Factory, also branch from its line southerly to Melford.	1909	1,160	.....	1910
208. International de Rimouski.—From Rimouski to Edmundstor. on the St. John river.	1909	90	.....	.....
209.—Salisbury & Alberta.—From Turtle Creek Station in a southerly direction to Baltimore, also from Baltimore Siding in a northeasterly direction to Moncton, also from Baltimore Siding in south westerly to Walters Oil Works.	1909	17	45	.....
210. St. Maurice & Eastern.—From a point on the National Transcontinental ry. at or near the villages of St. Stanislas and St. Prosper thence in a westerly direction to and through the town of Shawinigan Falls.	1909	25	.....	.....
211. Superior & Western Ontario.—From a portion on the Lake Superior branch of the G. T. ry. about 154 miles northwest from Fort William to a point on the N. T. ry. north of Sturgeon lake.	1909	45	.....	.....
212. Thessalon & Northern.—From a point on the Algoma branch of the C. P. ry. about 2 miles northeast of the Town of Thessalon thence southwesterly to Thessalon, thence northwesterly to a a point at Thessalon Station and from either of the said points on the Algoma branch, northerly to the Mississauga river in the Tp. of Gould.	1909	20	.....	.....
213. Victoria and Barkley Sound—From Victoria, thence by way of Otter Point and San Juan to a a point on Barkley Sound near Sarita river, also a branch on the main line between Metchosin and Sooke to Beecher Bay.	1909	120	0	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.
214. Alberta, Peace River and Eastern—From a point on Alberta Railway and Irrigation Co., township 3, range 16, west 4th meridian, thence westerly to Cardston, thence to town of Pincher Creek, thence northerly to Cochrane, thence northerly to Peace River Landing, thence easterly to Fort McMurray, thence easterly and north easterly to Fort Churchill, also branch easterly to Edmonton, from point on its railway between 51st and 52nd parallels of latitude.	1910	2,130	0	
215. Buctouche Railway and Transportation—From Buctouche to Richibucto harbour at or near Richibucto, N.B., also from Westpoint in Prince Edward Island, to Coleman on main line of Prince Edward Island railway.	1910	30	0	
216. Gatineau and Ungava—From point on the National Transcontinental railway at the head of Gatineau river following in the vicinity of the 'Height of Land' to Lake Chibougaman a distance of about 140 miles, thence to the east side of Lake Mistassini, a further distance of 60 miles, thence to northern boundary of Quebec at Homani or Summit lake, a distance from starting point of about 450 miles, thence round the source of Big river to Lake Kaniapiskan, near intersection of the 70th meridan and 54th latitude, thence northwesterly crossing source of Stillwater river to Lake Minto or Leas river, or in a northerly direction to point on Koksoak river and from either point to Leaf lake on Ungava bay, a total distance of about 900 miles, also a line from Lake Minto for a distance of about 200 miles to Payne lake.	1910	1,100	0	
217. James Bay and Eastern—From some point on the authorized line of the Canadian Ontario Railway near Lake Abitibi, thence easterly and southeasterly, passing south of Lake St. John to mouth of Saguenay river.	1910	580	0	
218. London and Lake Erie—From town of Aylmer to St. Thomas to a point near or through London, with branch from St. Thomas to Port Stanley, also from London westerly to Glencoe, passing through villages of Lambert, Delaware, Melbourne Longwood and Appin, and from Delaware to Strathroy, also from London to Ingersoll, branch from Ingersoll, Thamesford and another branch from Ingersoll, northerly to southerly boundary of township of West Zora, also from London to Brantford via Paris.	1910	185	0	
219. Montreal, Kapitachnan and Rupert's Bay—From point on St. Lawrence river in the county of Hochelaga, thence northerly to a point at or near Rapide de l'Orignal, to reach this point the railway shall pass at or near village of Kiamika, and from Rapide de l'Orignal to Kapitachuan lake, thence to cross and connect with main line of Grand Trunk Pacific railway and thence to Rupert's bay.	1910	550	0	
220. Nelson River—From a point on Lake Winnipeg at or near its outlet into Nelson river, or near the discharge of the Saskatchewan river into Lake Winnipeg, or between said points to point of junction with any railway connecting existing railways with Hudson bay.	1910	150		

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Continued.*

Name and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.
221. Northern Quebec Colonization—From Tadoussac, thence running westerly along the north shore of the Saguenay river to a point at or near Lake St. John thence northwesterly to a point between Lake Chibougamau and Lake Mistassini thence northwesterly to Hannan bay; also from Lake Chibouganau or Lake Mistassini thence southerly to Weymontachi a point on Transcontinental railway.	1910	520		
222. Ontario & Ottawa—From point on authorized line of Canadian Northern Ontario railway at or near Lake Couchiching, thence easterly to point in Township of Snowden, County of Haliburton, also from point in Township of Herschell, county of Hastings, thence to Renfrew, thence crossing Ottawa river, and continuing southeasterly to Hull, or re-crossing Ottawa river to Ottawa.	1910	185	0	
223. Ottawa, Montreal & Eastern—From Lake Megantic at or near St. Agnes, thence in the most direct route crossing the St. Lawrence river at Longueuil to Montreal, thence westerly crossing the Ottawa river in the County of Argenteuil, into Ontario, thence to Ottawa, also branch from Drummondville to Arthabasca and from St. Guillaume to Yamaska.	1910	320		
224. Ottawa, Rideau Valley & Brockville—From Hull to Ottawa thence to Brockville.	1910	60	0	
225. Pine Pass—From Edmonton thence northwesterly to point at or near the confluence of McLeod river with Athabaska river, thence northwesterly to Grande Prairie, thence to Pouce coupe Prairie and through Pine River Pass, thence to Fort George.	1910	650		
226. Rainy River Radial—From Fort Frances to Lake of the Woods at mouth of Big Grassy river, also from point on said line west of Tp. of Mather to Lake of the Woods at mouth of Little Grassey river, also from point on first described line in or east of Tp. of Mather to point at the Long Sault Rapids on Rainy river to town of Rainy River.	1910	120		
227. Saskatchewan Central—From point in Tp. 41, R. 3, W. of 2nd Mer., thence westerly to Basin Lake, thence westerly to Rosthern, continuing westerly to Battleford, thence north westerly to Onion Lake, thence to Smoky Lake, thence south westerly to Edmonton, also from point in Tp. 41, R. 3, W. of 2nd Mer., thence northerly to point where the Saskatchewan river intersects the eastern boundary of province, also from point in township 41, range 3, west of 2nd meridian southerly through Canora and Yorkton, to North Portal, also from point in township 43, range 21, west of 2nd meridian, thence northwesterly to Prince Albert and from said point in township 43, range 21, west of 2nd meridian, southerly to Regina, thence southerly to point on southern boundary of province between ranges 18 and 20, and from said point in township 43, range 21, west of 2nd meridian thence northeasterly to a point where the Saskatchewan river intersects eastern boundary of province, also from Battleford northerly to Meadow Lake, also from point in township 42, range 25, west of 2nd meridian, thence southwesterly through Saskatoon and Swift Current to point on southern boundary of province between ranges 10 and 21, west of 3rd meridian, also from point in Tp. 18. R. 14. west of 3rd meridian thence westerly to a point at or near Saskatchewan river, thence southwesterly to Lethbridge.	1910	1840	0	

RAILWAY CHARTERS granted by the Dominion Parliament from 1888 to 1910, inclusive, exclusive of the Grand Trunk, Canadian Pacific, Canadian Northern and Grand Trunk Pacific Railways.—*Concluded.*

Names and Route of Railway.	Date of Charter.	Miles.	Miles built.	Extensions of time of construction.
228. Toronto Eastern—From Toronto thence easterly through or near the towns of Whitby, Oshawa, Bowmanville, to Cobourg, with branches therefrom as follows: From point in Cobourg or Port Hope, thence northerly to Peterborough, also from point in Township Scarborough, thence northerly to or near Markham, Stouffville, or Uxbridge, also from Oshawa, thence northerly via Lake Scugog to Lindsay, also from Oshawa, thence southerly to point on water front of Lake Ontario.	1910	150	0	

It has been stated that these people are paying their way and putting up the money here. What does it amount to? They come here and pay $200 for their charter. Will any one tell me that that is sufficient to pay for the time of the committee of this House, which could be better devoted to other work? Then we forget that it requires an enormous amount of labour to keep track of the charters in the Railway Department, and an enormous amount of correspondence is rendered necessary by these bogus charters. People know that a charter has been granted by parliament to build a road from one point to another, settlers have located in these districts, and they hear about charters and extensions of time, and they commence to bombard the government with petitions. A great deal of that kind of work is going on, and it requires the employment of stenographers, time and money to keep track of it. My Bill will do away with that entirely. In order to show what the people of the country think about these extensions of time, I might refer to some communications I have received. I have a letter asking me to do what I could to have a charter cancelled, and the following clipping was enclosed in the letter. This refers to one of the largest companies, the Canadian Pacific railway. The farmers oppose the extension:

FARMERS OPPOSE TIME EXTENSION.
Petition Minister of Railways Regarding Proposed C.P.R. Line from Bredenbury to Kamsack.

Togo, Sask., Dec. 27.—A petition signed by 140 farmers of this neighbourhood has been forwarded to the Minister of Railways at Ottawa asking that the application of the Canadian Pacific Railway for an extension of its right to build a railway from Bredenbury to Kamsack be refused in view of the fact that there have already been two extensions granted this charter. The petition quotes the following resolution recently passed by the council of local improvement, district No. 271, at a meeting held at Kamsack, moved by Mr. McLaughlin, seconded by Mr. Graham: 'That the secretary white the Minister of Railways not to grant an extension of time to the Canadian Pacific railway on their charter to build a railway from Bredenbury north via Kamsack, as this council is of the opinion that they should either build the road forthwith or have the charter cancelled.'

The Winnipeg 'Free Press,' which has an enormous influence all over the country, referred to this matter editorially as follows:

At the present session of parliament the Canadian Pacific railway is applying for the second renewal of the charter granted six years ago for the construction of a line from Bredenbury to Kamsack, a distance of forty-four miles. The time limit has twice expired without any sign being given by the Canadian Pacific railway of an intention with the work of construction. The development of the district is thus being retarded. The Canadian Pacific railway should either build or stand aside and let another company get in. Parliament should take the stand that this dog-in-the-manger business in regard to the line of railway that is needed from Bredenbury to Kamsack has gone on about long enough.

That is the feeling of the people, and I submit that if this Bill which I have before the House is adopted the whole thing falls to the ground at once. There is a provision in one of the clauses that if any of the large companies wish to get an exten-

sion of a charter they must come within the provisions of the Act, and can get it without coming to parliament. If they ask in good faith for an extension they have to put up the money, and if they do not intend to build the line they will not put up the money. If they desire a charter for a certain line simply to keep another company from building in the same district, they will hesitate before spending the money. Another point is that the Minister of Railways is continually bothered with route maps and plans which he is asked to approve, where the promoters never intend to build the road. I remember in my own town. the Grand Trunk Pacific intended to construct a line, and the Canadian Pacific railway and the Canadian Northern railway had charters for similar lines on which they had never turned a sod, and they produced route maps for roads which would parallel the line that the Grand Trunk Pacific railway proposed to build. The local government were guaranteeing the bonds of the Grand Trunk Pacific. They took a long time to approve of the Grand Trunk Pacific plan because they said if the Canadian Pacific railway and Canadian Northern railway were going in there it would be a question whether the road would pay; but they at last granted the assistance and the Grand Trunk Pacific has gone on, and we have not heard of the matter since. It was a case of jockeying and they have not proceeded with it. Under the provisions of this Bill, such procedure will be stopped and we will not be bothered with it. The first clause of the Bill reads:

1. Any number of persons, not fewer than seven, of the full age of twenty-one years, who desire to be incorporated for the purposes of constructing, maintaining and operating a railway which is within the legislative jurisdiction of the parliament of Canada, may, by agreement in writing, form themselves into an association for those purposes, and, upon complying with the provisions of this Act, may obtain letters patent creating them and their successors a corporation with all the obligations and restrictions contained in The Railway Act and in any other general Act relating to railways.

That is a new principle. If we adopt the principle in committee, and any hon. gentleman raises the objection that the provisions do not suit, we can alter them, and I think the combined wisdom of this House will be able to frame a measure that will meet with the approval of the people from the Atlantic to the Pacific. The second clause of the Bill reads:

2. The agreement of association shall contain the following particulars:—
(a) the proposed name of the corporation, which name shall not be that of any other known company, incorporated or unincorporated, or any name likely to be mistaken therefor, nor otherwise, on grounds of public policy or convenience, objectionable, and shall end with the words 'railway company';
(b) the terminal point of the proposed railway, and as nearly as may be estimated, its length in miles;
(c) the proposed route, with the name of each county, city, town, village and municipality through, into or near which it is proposed to build the railway;
(d) the gauge of the railway, which shall be four feet eight inches and one-half of an inch;
(e) the amount of the capital stock of the corporation, which shall not be less than ten thousand dollars for each mile of the estimated length of the railway, and shall be divided into shares of one hundred dollars each;
(f) the number of shares of capital stock which each associate agrees to take; but an associate shall not be bound by such agreement to pay more than ten per cent upon such shares unless the corporation is duly created;
(g) the place where the head office of the corporation is to be;
(h) the names, residences, occupations and post office addresses of at least seven persons to act as provisional directors. These must be subscribers to the agreement and a majority of them resident in Canada; they may fill any vacancy occurring among their number; and shall appoint a secretary and a treasurer who shall hold office until their successors are appointed by the corporation if created; the same person may be appointed both secretary and treasurer;
(i) the name, residence, occupation and post office address of the secretary and of the treasurer of the association.
2. The agreement shall be signed with the full name of and be sealed by each associate, who shall, opposite his signature, state his residence, occupation and post office address, and the place and date of his signature. Each signature shall be duly witnessed by one witness, whose full name, residence and occupation shall be stated.

Clause 3 reads:

3. Before proceeding to examine and survey the route of the proposed railway the provisional directors shall cause notice of the agreement of association to be given as follows:—
(1) By publication of a copy thereof, at least once a week for six consecutive weeks,—

(a) in the 'Canada Gazette,' and
(b) the official gazette of any province in which the proposed railway or any part thereof is to be constructed; and
(c) in at least one newspaper in each city, town or village through, into or near which the proposed railway is to be constructed, and in which there is a newspaper published.
(2) By sending by registered letter a copy of the agreement of association to the clerk of each county or district council, and of each city, town, village or other municipal corporation, which may be specially affected by the construction or operation of the proposed railway.
2. In the provinces of Quebec and Manitoba the notice shall be given in both the English and French languages.
3. A statutory declaration by the secretary of the association that any provision of this section has been duly complied with shall be prima facie proof of such compliance.

That provision is inserted because the English language is not used very much in Quebec, and it is nothing but fair that notice shall be given in both languages.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have a rather important engagement that I must keep, and I would say to my hon. friend, without committing the government at all to the principle of the measure, that I have no objection that the Bill should be read the second time on the understanding that it does not commit us to accepting it. If he agrees to let it go to the Railway Committee it can be better discussed there than in Committee of the Whole. If he consents to that, I raise no objection to the second reading of the Bill presently if the House sees fit to grant it.

Hon. Mr. DAVIS—I am perfectly satisfied with that.

Hon. Mr. DAVID—Would the effect of taking that course be considered as an acceptance of the principle of the Bill?

Hon. Mr. DANDURAND—No.

Hon. Mr. DAVID—Because, personally, I would not accept the principle of the Bill.

Hon. Mr. DAVIS—I understand the leader of the House to say that nobody is committed to the principle of the Bill by consenting to the second reading. I was proceeding to show what the promoters of a railway corporation under this Bill would have to do to get a charter. They would have to publish notices in the daily papers along the route and notify the mayors of the corporations along the route. After notice has been given, the directors may cause an examination and survey of the route of the proposed railway to be made, and for that purpose the agents of the company may enter on the lands along or adjacent to the route; but in the exercise of the powers thus granted, as little damage as possible shall be done, and compensation must be made for any damage they may do. The following clause is important:—

5. The provisional directors shall cause to be made by a competent engineer, from actual examination and survey, a plan, profile, report and estimate of cost, on such scales and containing such information and in such detail as may be required by regulations in that behalf to be made by the Board of Railway Commissioners for Canada, or as may be required by special order of the Board made when necessary.
2. The plan, profile, report and estimate shall contain generally all necessary information as to—
(a) the character of the country through which the proposed railway is to pass and the feasibility of the proposed route;
(b) the proposed gradients;
(c) all existing railways and highways to be crossed and the mode of crossing proposed in each case;
(d) all rivers, streams and watercourses to be crossed or diverted, specially distinguishing such as are navigable waters, and giving in each case the nature and estimated cost of the proposed bridge, tunnel, ferry or other means of crossing, or of the proposed diversion;
(e) the kind and amount of excavation, embankment, masonry and other sorts of work;
(f) full information as to the manner of constructing the proposed railway and the standard to be adopted therefor both as to its construction and equipment.
(g) everything necessary to enable the Board of Railway Commissioners for Canada to determine whether the certificate provided for by this Act shall be granted by the board.

Hon. Mr. CASGRAIN—I do not see any advantage in discussing details of the Bill in the House when it is to be sent to the Railway Committee. However, without discussing it, I see the first words in clause 5 are: 'The provisional directors.' Now, provisional directors have no power except to allot stock.

Hon. Mr. DOMVILLE—Oh, yes they have.

Hon. Mr. CASGRAIN—After stock has been allotted and accepted, and a call paid,

and the proceeds deposited in a bank, then the share holders elect a board of directors.

Hon. Mr. DAVIS—As we have agreed to send this Bill to the Railway Committee, it is unnecessary to discuss the details further at present. There are a number of experienced gentlemen on that committee, who will, no doubt, amend the Bill to make it more perfect. I drafted the Bill myself. I had the law clerk look over it, but he made no changes. The phraseology may not be exactly right, but we have on the committee legal gentlemen like the hon. member from De Salaberry (Mr. Beique), and engineers like my hon. friend from De Lanaudière (Mr. Casgrain), and I have no doubt they will put the Bill in a satisfactory shape. I have made the statement that nobody can get a charter for railway without being prepared to do certain things and to put up money. They have to employ engineers to survey the route and prepare plans and specifications and estimates of the cost of the road. Besides that, they have to put up a lot of money in a bank before they can do anything to indemnify anybody whose property may be damaged. Provision is made to prevent them withdrawing that money from the bank, because after the money is deposited in the bank for this purpose it has to stay there until it is released by order of the court. I have another provision to prevent pooling. Very often, after a railway is constructed, another company may undertake to build a parallel line, and a pooling arrangement may be made between the two companies. With the present Railway Commission it is hardly possible for them to do that to any extent, but it is as well to provide against it, as I do in this Bill. The time has come when there should be a change in the system of granting charters. Under the proposed plan we have the Secretary of State, and the Board of Railway Commissioners, and if we are not satisfied with them, the Minister of Rail ways and his deputy can approve of these plans. They know the names of the competent engineers in the country and can feel assured that none of them would put his name to any report which was not correct in every particular. That is more than we are getting under the present system. In a country growing as rapidly as Canada is, suppose a railway were needed at once, the enterprise cannot be proceeded with until a charter is obtained. The promoters have to wait until parliament meets. If they wanted to build in May or June next they could not do it. They would have to wait a year longer to procure a charter from parliament. Under the system outlined in my Bill they could be at work in three months. In the committee we will be able to frame a Bill that will be satisfactory to everybody. I should like to see this Bill go to the House of Commons. The Senate has been accused of lacking in initiative. If we sent Bills like this to the Lower House it would show that we can initiate measures here as well as they can in the Commons.

Hon. Mr. DAVID—Although this Bill contains some good things, and shows that perhaps the existing law could be amended with advantage, I consider it objectionable in principle. I am opposed to the principle of it for two good reasons: First, because the effect of passing the Bill would be to lessen considerably the importance of parliament. One of the most important functions of parliament is the incorporation of railway companies. If you cut off that power I do not know what may be left, for if you deprive parliament of the power of incorporating railway companies you may do so with respect to dealing with other matters. If railways are to be incorporated by a railway commission, why not deal with banking and commerce and other matters in the same way? Then we would have the government and legislation of the country administered by commission. I am not ready to accept such a principle.

Hon. Mr. DAVIS—Will the hon. gentleman point out to me any important changes that have been made by the Railway Committee in Bills during the last four or five years except such changes as the law clerk or the minister has told them to make?

Hon. Mr. DAVID—I am not ready to go into details to answer the hon. gentleman's question, because it might entail a long discussion. That will come later on. The work done by the Senate and the House

of Commons so far has been satisfactory, and I call the attention of the hon. member to this proposition: If Bills are passed by parliament which do not receive proper consideration, there is more danger if we accept the proposition contained in this Bill. If there are abuses now, there will be many more under the proposed system. I think there would be less publicity and less probability of opponents of a Bill fighting it. Under the present system, before a Bill comes up for consideration in the House of Commons or the Senate, notices must be published for weeks in advance. Then the Bill has to be read three times in each House, besides being referred to the committees of the two Houses. There is thus much time given for those interested in the project to oppose or support the Bill as they think proper. Under the proposed system, those who are opposed to a railway Bill would not have the same chance of fighting it should the measure now before us be adopted.

Hon. Mr. DOMVILLE—The Bill is a step in the right direction. It is a practical Bill. The hon. genteman from De Lanaudière spoke of the powers of provisional directors. I can tell him that provisional directors have all the powers of directors until a board of directors is elected, provided they do nothing prejudicial to those who are interested in the company. They are clothed with all authority, and, furthermore, the Railway Act under which this Bill comes, provides what the directors shall do. This Bill provides that the shareholders, in the first instance, shall be masters of the situation, and can have a meeting called whenever they like. There can can be no very great harm in it, especially as this Bill deals with people who are in earnest, who are not geting speculative charters, people who mean business, and are going to serve the country. Such promoters have nothing to fear, because they will be supported by the public at large. Their object is not to traffic in charters. I have been forty years in parliament off and on, and my experience has been that the work of the committee has been obstructed a great deal by arguments and discussions over matters which could be and would be all settled in a very short time if those on the committee who had real practical knowledge of railways and railway legislation had a chance to thresh the matter out. But, unfortunately, between the notoriety caused by the press and other causes, some people do a lot of talking which might be avoided. My hon. friend says it is because lawyers are looking for big fees. I cannot for a moment believe that they have anything but the best interests of the country at heart. This Bill will have to be modified to some extent, but its object is to provide that railways can be built when wanted, instead of waiting a year or two before the promoters are allowed to go to work. I can point to an instance where if people could get letters patent, as this Bill provides for, they would be at work building a railway inside of ninety days. Under the present law they cannot possibly get a charter through parliament before the end of May, and they lose the opportunity of going into the money market and getting capital for their enterprise. The Bill should be sent to the Railway Committee, and if it is not in proper shape it can be amended there. The principle of taking these details out of the House is a good one and should be adopted. My hon. friend was talking only yesterday about a divorce court. The whole principle of legislation is changing; the ideas of people are changing, and the country is changing. I have just returned from the other side of the Atlantic, and from what I heard there I know that this country will boom and develop in a remarkable manner. We cannot contemplate what its future will be. We cannot foresee the class of people who will come, and the money that will flow into Canada and the industries that will be established. If that is the case, and people desire to construct railways in the western country, we should have legislation which will enable them to do so without being delayed through the necessity of getting legislation from parliament.

Hon. Mr. CASGRAIN—As I understand the Railway Act, the provisional directors are the gentlemen named in the application and in the Bill. These gentlemen remain directors until they call a meeting for the purpose of allotting stock. Evidently,

until they allot the stock there are no shareholders. As soon as there are shareholders, it takes so many shares to qualify a director. A provisional director is one who has no stock in the company, because the stock has not been allotted. The provisional directors are not supposed to have put any money in the enterprise, except perhaps a fee to get the Bill. After the Bill is passed, they allot the stock and in doing so create shareholders. As soon as that stock is accepted, the provisional directors disappear and the shareholders elect a board of directors I have seen that take place in practice. The hon. gentleman from Mille Iles (Hon. Mr. David) says that by giving away the right to deal with railway charters we would curtail the powers of parliament, and we would have very little to do. If we look across the line, we find there are many states, as well as the central government, that do not issue railway charters; nevertheless they have enough to occupy their time without considering railway charters. I am not oppose to the principle of the Bill; far from it. More than ten years ago in this House I introduced a Bill on similar lines. My object was to compel those who were getting railway charters to comply with the requirements of the law as in England. There, before one can obtain a railway charter, he must first submit a plan and profile and show what the company intend to do. Those plans show clearly how they are to cross every highway, what sort of bridges they are to erect, the grades and curves, through what properties they are to run, what facilities they have for acquiring right of way, the probable cost of the right of way, the probable cost and revenue of the road, and other details in order to protect the English public who are putting money into railways against the possibility of investing in lines which might not be wanted, and might not be able to meet the interest on their bonds. All this must be done before going to parliament. Now that is in line with the Bill before the House. They have also to give a guarantee of some monetary institution, a bank or some other reliable, solvent institution, and this institution will give satisfactory proof that those who seek to build the railway have the financial ability to carry out the undertaking. All these requirements have to be fulfilled before an application can be entertained. I was in favour then of exacting those requirements before an application could be made. Then it would be for parliament to decide the matter or to adopt as an alternative the principle of the Bill now before us, which is to allow anybody who has the means, as they do in the United States and other countries, to build a railway as he would carry out any other large enterprise. Our system at present—and I have said it repeatedly for years—is very faulty. A few schemers, chartermongers, obtain a charter and then when some railway company wants to build a line in the same district they object, as they have often objected and very successfully before this parliament, to what they claims is unfair competition, and an infringement of vested rights. Suppose the Canadian Pacific railway or the Canadian Northern railway want to build a branch, they encounter a gentleman who has had a charter in the same locality for some time, who objects on the ground that he has been at considerable expense making surveys and plans and is just about getting capital to proceed with his line, that his representative is now in England, and as soon as he returns with the necessary capital he will proceed with the construction of the road. Bona fide enterprises have been obstructed in that way because some fake promoters have prevailed on the Railway Committee not to grant a rival charter. I hope a Bill on lines similar to this may be drawn by the committee, and if adopted by parliament it would certainly do a great deal of good. Another objection to the present system of granting charters is that in other countries, and especially in England, when you go with a royal charter to secure capital, people think that the government must have looked carefully into the scheme before giving the company power to issue bonds. They think five per cent bonds would be safe and that they would get their five per cent out of the railway company's earnings. Now the Canadian Pacific railway for many years did not earn interest on $40,000 a mile—far from it. Here is what takes place in the old country, I am informed: Promoters of railway schemes go there with a lot of bonds, submit them to some broker, and say they have

been authorized by the government of Canada, and have a royal charter, to issue bonds to the amount of $40,000 per mile. They offer these bonds cheap, provided they can sell for cash. The bonds are purchased and a small advance is made on them. The promoters take the money and return to Canada, and very often the railway is not built and the bondholders are left with these bonds on their hands on which they may have paid perhaps twenty-five or thirty cents on the dollar. They bought these bonds for the purpose of putting them on the market but they are never put on the market and remain in the vaults of the brokers.

Hon. Mr. LANDRY—Is that the history of the Atlantic and Western.

Hon. Mr. CASGRAIN—I do not want to give any names, but such transactions impair the credit of the country. I sincerely believe that a majority of this House are ready to make some change in the present system.

Hon. Mr. DAVID—I said that some amendments contained in the Bill might be introduced very properly in our law, and that the existing law might be amended without depriving parliament of one of its principal powers. Our system in that respect is preferable to the system which prevails in the United States.

Hon. Mr. DOMVILLE—Section 84 of the Railway Act provides for the first meeting of the shareholders, and if my hon. friend from De Lanaudière will read the section he will see that my statement as to the powers of the provisional directors was perfectly correct.

The motion was agreed to.

Hon. Mr. DAVIS—I move that the Bill be referred to the Committee on Railways, Telegraphs and Harbours. If publicity is a good thing in the granting of railway charters, we have enough publicity in the railway committee across the way, so to speak, but I fail to see that this publicity has caused the construction of railways which we have chartered. I still make the statement that it is a waste of time of the Railway Committees of parliament to grant charters to chartermongers, that nobody should be allowed a charter unless he has money to build the road, and that under my Bill nobody will ask for a charter unless he can furnish the money. I make the statement now, that outside of the provisions I have made in this Bill the Railway Committee have not been able to dot an 'i' or cross a 't.' It looks like a comic opera. They sit there granting charters day by day. If we abolish this present system of granting charters and extensions of time it will give satisfaction to the country and it will save three or four weeks of the time of parliament. This is simply inserting the thin edge of the wedge, because there are other matters that might be dealt with more profitably by parliament. We have seven millions of a population and parliament sits six months. What would it be if we had a population of forty millions? We would require a different system of doing business, and this is one of the modes in which the time of parliament can be saved, and people outside will be better satisfied.

The SPEAKER—The question is on the motion to refer the Bill to the Committee of Railways, Telegraphs and Harbours.

The motion was agreed to.

The senate adjourned until three o'clock to-morrow.

THE SENATE.

THURSDAY, January 19, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

COMPOSITION OF CANADIAN FLEET.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Of how many vessels in the Canadian fleet to be composed according to the data of the British Admiralty?
2. Of what types are they to be?
3. Will this fleet be divided into two parts?
4. What will be the force, in vessels, men, and guns, of that division of the fleet which is to operate in the waters of the Pacific?
5. How many vessels, men, and guns, will the division of the fleet number that is to manœuvre in the Atlantic ocean?
6. Will the 'Niobe' and the 'Rainbow' form part of this fleet as fighting units, or are they simply training ships?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:—

1 and 2. The ships proposed to be built under the government programme are:—

Four 2nd Class Protected Cruisers of the 'Bristol' class, improved.

Six Torpedo Boat Destroyers of the 'River' class, improved.

In addition there are 'Niobe' and 'Rainbow.'

3 to 5. It is the present intention to station this force as follows, but the actual disposition of the ships must vary from time to time in accordance with circumtances and the necessities of the time:

Ship.	Approximate No. of Officers and Men.	Guns.
Pacific Coast—		
2 Bristols	742	
1 Rainbow	273	2-6-in. Q.F., 6-4·7-in. Q.F., 8-6 pdr. Q.F., 1-3 pd., Q.F., 4 Maxims, 1-12 pdr. field gun.
Atlantic Coast—		
2 Bristols	742	
6 Destroyers	576	
1 Niobe	705	16.6-in. Q.F., 12-12 pdr. 12 cwt. Q.F., 3-3 prd. Q.F., 2 Maxims, 1-12 pdr. field gun.

The armament of the ships to be constructed has not yet been published by the imperial government.

6. The 'Niobe' and 'Rainbow' are now being utilized as training ships. It is the intention at present to eventually use them as parent ships for destroyers, and as such are fighting units.

PLANS OF CANADIAN SHIPS OF WAR.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Canadian government applied to the British government to obtain from the latter the plans of the ships of war which, according to authorized statements, are to be built on our side of the Atlantic?
2. Has it obtained them?
3. If not, why?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The answer to the first and second questions is 'yes,' and the third question is answered by the answer to No. 1.

NATIONAL BATTLEFIELDS COMMISSION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Of whom is the National Battlefields Commission of Quebec composed to-day, and where do the members of such commission reside?
2. Do they receive a salary, or are their functions gratuitous?
3. What number of them is necessary to constitute a quorum?
4. Who is the secretary of the commission and when was he appointed?
5. Was he appointed by the commission or by the government?
6. What is his salary?
7. What is the amount of money actually at the disposal of the commission?
8. Has the commission made any report whatsoever upon its operations, and to whom?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The answers to the hon. gentleman's questions are as follow:—

1. Sir George Garneau (Chairman), Quebec.

Sir Edmund Walker, C.V.O., Toronto.

Colonel George T. Denison, Toronto.

Honourable A. Turgeon, C.V.O., C.M.G., Quebec.

Honourable Lt.-Col. J. S. Hendrie, C.V.O., Hamilton.

Honourable L. A. Taschereau, K.C., Quebec.

2. Their functions are gratuitous.

3. Four.

4. C. E. Gauvin, Esq., C.E., October 22, 1910.

5. By order in council (P.C. 2057).

6. $2,500 a year.

7. $346,701.36.

8. The Commission reports regularly to the Minister of Finance as required by 7-8 Edward VII., Chap. 57, Art. 12.

A special report was made to the Governor in Council on the 12th of December, 1910.

ACCIDENT AT QUEBEC BRIDGE.

INQUIRY.

The notice of inquiry being called,

Hon. Mr. LANDRY:

Is the government aware that during the last navigation season a serious accident oc-

curred to the caisson on which one of the pillars of the Quebec bridge was to be erected, and prevented the foundation works of the bridge from being proceeded with.

2. What was the nature of said accident, at least according to the statement of the engineers, and to what cause or to whom is the accident to be attributed?

4. What was the cost of the repairs?

5. Who has paid or who is to pay the cost of said repairs?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The department is wiring for the information asked for in this question, but it has not yet been obtained, so that the inquiry will have to stand.

The inquiry was allowed to stand.

FRENCH EDITION OF CENSUS AND STATISTICAL BULLETINS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the government aware that the Department of Agriculture, under the control of the Honourable Sydney Fisher, publishes every month a French edition intituled 'Statistique mensuelle' of the periodical bulletin issued by the census and statistical office?

2. Does the Department of Trade and Commerce intend to follow that example and to give the French population of this country the benefit of a French edition of the Weekly Reports containing the reports of trading commissioners and commercial agents?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The replies are, to:

1. Yes.

2. The matter is under consideration, but it may be pointed out that the department has not had more than half a dozen applications for this report in French in as many years, and it is estimated that the cost of translation and printing, in addition, would be in the vicinity of $3,000 a year. Nevertheless, should it be insisted on, I presume my hon. friend would have to have it.

THE DISSOLUTION OF PARLIAMENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. At what date did the present parliament come into existence?

2. At what date will it expire?

3. Is the dissolution of parliament, previous to its natural death, one of the prerogatives of the Crown?

4. Has the Hon. Mr. Brodeur, Minister of Marine, obtained from His Excellency the Governor General the authority to announce, before the Belcourt Club, at a meeting held about the 14th December last, that the general elections would take place in 1912?

5. If the Minister of Marine has not obtained such authorization, under what authority and in whose name did he speak?

6. Is the government aware of the date of the next general elections?

7. If it is aware of the same, is it in a position to confirm the information given out by the Minister of Marine?

8. If, on the contrary, it is not awae of the same, how can the Minister of Marine place himself outside of the constitution, and of the most elementary usage, and cast before the public in the presence of the Crown, information, the source of wh ch he can neither explain nor justify?

Rt. Hon .Sir RICHARD CARTWRIGHT. —The answers are, to:

1. 17th September, 1908.

2. The time at which this parliament will constitutionally expire will be the 3rd December, 1913.

3. Yes.

4, 5, 6, 7 and 8. The declaration then made by Mr. Brodeur was in conformity with the law of the land.

FRENCH EDITION OF INLAND REVENUE BULLETINS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the number of the last bulletin published in English and issued by the Laboratory of the Department of Inland Revenue?

2. On what date was the said number published?

3. What is the number of the last bulletin published in French and issued by the Laboratory of the Department of Inland Revenue?

4. On what date was the French number published?

5. What is the explanation of the delay in the publication in French of the several numbers of the bulletin prepared by the Department of Inland Revenue?

Rt. Hon. Sir RICHARD CARTWRIGHT. —The answers are, to:

1. No. 221.

2. Received from King's Printer January 10, 1911.

3. No. 215.

4. Received from King's Printer December 14, 1910.

5. English copy received November 10, and on the same day sent for translation. The delay is due to time occupied in translation and the revises required before the bulletin can be finally printed.

TWENTIETH BRIGADE VOLUNTEER INFANTRY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. On what date was the 20th brigade of Volunteer Infantry formed?
2. Of what regiments is it composed?
3. Are they city regiments and from what cities?
4. How many times since its formation has the 20th brigade met at its quraters to follow, as a corps, the annual training followed by other brigades composed of rural regiments?
5. Who is brigadier of the 20th brigade?
6. Who is brigade major of the same?
7. How much do these two officers receive annually as training allowance in their capacity of brigadier and brigade major of the 20th brigade for their services as such?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are, to:

1. 1st January, 1906.

2. 8th, 9th, 53rd, 84th and 86th Regiments of Infantry to which No. VII Field Ambulance is attached.

3. Yes.

8th	Regiment,	Quebec.
9th	"	"
53rd	"	Sherbrooke.
84th	"	St. Hyacinthe.
86th	"	Three Rivers.

4. Not at all.

5. Lieut.-Colonel G. E. A. Jones.

6. Captain J. P. G. Ouellet.

7. There is no Annual Allowance authorized or paid for Brigadiers or Brigade Majors of Infantry Brigades composed of City Corps but it is proposed to make provision for officers commanding Brigade of City Corps and Brigade Majors being allowed pay of their rank for such number of days on which they perform duty, not exceeding twelve days per annum.

Lieut.-Colonel G. E. A. Jones, 20th Infantry Brigade, was paid $36 for specific duties he was ordered to carry out, attending inspections of Brigade for seven days on different occasions between the 14th April and 18th June, 1910, this payment being in accordance with Article 364 (h), Pay and Allowance Regulations.

TRADE WITH NEWFOUNDLAND.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the QuebecBoard of Trade called the attention of the government to the fact that the commercial relations between Newfoundland and the port of Quebec have materially decreased for several years, and that it otherwise appears that it is with the people of the United States that population of Newfoundland are mostly interchanging commercial relations?
2. Is the Canadian government aware that the Newfoundland government has expressed the desire to improve and increase its commercial relations with Canada?
3. Is it the intention of the government to foster this desire by taking the steps conductive to the revival, in our midst, and for the benefit of our colonies, of the undeniable benefits which may arise from arrangements to be had between the countries?

Rt. Hon. Sir RICHARD CARTWRIGHT —As regards the first question, I am advised that no communication has been received. As to questions 2 and 3, the government will undoubtedly be very anxious to improve their trade relations with Newfoundland, to the best of their ability. I may add for the information of the hon. gentleman that just at present I think our trade with Newfoundland is increasing, or it has increased during the last twelve months rather more than with the United States, but not to any material extent.

Hon. Mr. LANDRY—Do I understand the right hon. gentleman, in answer to the first question, to say that the Board of Trade did not call the attention of the government to the matter?

Rt. Hon. Sir RICHARD CARTWRIGHT —So I am advised by the Secretary of State.

SECOND READING.

Bill (C). An Act to incorporate the Alberta, Saskatchewan Life Insurance Company.—(Mr. Lougheed.)

BILLS INTRODUCED.

Bill (34). An Act respecting the Walkerton & Lucknow Railway Company.—Mr. McMullen.)

Bill (17). An Act respecting the British Columbian Southern Railway Company. —(Mr. Bostock.)

Bill (6). An Act to amend the Interest Act.—(Mr. Derbyshire.)

Bill (33). An Act respecting the South Ontario Pacific Railway Company.—(Mr. McMullen.)

Bill (31). An Act respecting the Guelph and Goderich Railway Company.—Hon. Mr. McMullen.)

Bill (18). An Act respecting the Kootenay and Arrowhead Railway.—(Hon. Mr. Bostock.)

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

FRIDAY, January 20, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE DERY RESTAURANT AT THE IMMIGRATION BUILDINGS. QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Department of the Interior aware that a petition signed by about fifty employees of the immigration buildings in Quebec has been addressed to the agent of the department at that place complaining of the quality and uncleanliness of food served to them by the restaurant keeper of the establishment?
2. Has Mr. Jacques Dery replied to this complaint, and what was his reply?
3. If this exchange of correspondence has come to the knowledge of the department, what steps have been taken by the latter?
4. Does the government intend to verify the exactness of these complaints and see that they are not repeated, in the interests of immigrants generally?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follows:

1. Yes.

2. Yes. In effect, that it is difficult to satisfy every one; that the same meals were served to others, who found them good; that the food served is of good quality, the service is clean, and that an investigation is invited.

3. The matter is in abeyance for the present.

4. Yes.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a copy of the report received by the Immigration Department on the subject of the complaints brought against Mr. Jacques Dery, the keeper of the restaurant established in the immigration buildings at Quebec, and also of the correspondence exchanged and the inquiry held by the Immigration agent with regard to the overcharges by the restaurant keeper, and of the refund which he had to make to immigrants of the price obtained for goods of bad quality.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

LEASE OF MILITARY PROPERTY TO GEORGES TANGUAY.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate copies of all orders in council and ordinances, and of all correspondence exchanged between the parties interested in the subject:—

1. Of the lease, before 1896, to Mr. Georges Tanguay of a military property belonging to the government and situated on des Ramparts street at Quebec.
2. Of the requests made by other persons at that time to purchase or lease the property in question.
3. Of the sale of the same property to the same Georges Tanguay, agreed to by the present government about 1867.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

RECRUITS FOR NAVAL SERVICE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Does the government intend, with a view of encouraging the enlistment of recruits in the naval service, to post up from the Atlantic to the Pacific, in the places which are most populated and most in sight, immense placards inviting and inciting young men of the country to fill the lists of the new naval service?
2. Is it the case that the postmasters of our principal cities and towns are going to be constituted enlistment agents, with a promise of receiving a premium for each engagement they succeed in obtaining?
3. What is the amount in premiums that the government intends to devote to that object?
4. How much are the placards in question going to cost?
5. Have they actually been printed, and by whom?
6. Who is to distribute them, and how much will this distribution cost?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The Department of the Naval Service intends to have advertisements posted in various localities throughout Canada, to inform persons wishing to enlist in the Naval Service, of the conditions of such service, and of the means of obtaining information on the subject.

2. The postmasters in a number of localities will act as recruiting officiers and be paid a gratuity of $2 for each recruit entered from their office, to recompense them for their trouble.

3. It is expected that most of the men will enlist at the naval stations of Halifax and Esquimalt, or at the head office at Ottawa, and that the amount paid for gratuities to postmasters will be small.

4. Large posters, $5.70 per 1,000; small posters, $1.09 per 1,000.

5. Yes. Large posters by Stone Lithographing Company Toronto. Small posters by Mortimer Co., Ottawa.

6. Contract made with Ware Company of Canada, Montreal, for posting in various towns for one year at a cost of $1,813.52 Small posters will be more extensively circulated through postmasters.

REGULATIONS OF TRANSCONTINENTAL RAILWAY COMMISSION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government or the Department of Railways and Canals caused to be published a pamplet containing the laws concerning the National Transcontinental railway, with the amendments which modify it, and the regulations which govern the commission of that road?
2. When was this pamphet published, and where can it be procured?
3. Has it been published in French?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The Department of Railways and Canals has no knowledge of any such pamphlet being published.

2. Answered by No. 1.

3. Answered by No. 1.

EXCHANGES OF MILITIA OFFICERS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. The military authorities having, under the authority of section 183 of the King's Orders and Regulations for the Canadian Militia, 1910, appointed an officer brigade major for a fixed period of three years, can they subsequently, but before the expiration of the period of his term of office, force that officer, without his knowledge and against his will, to change and accept a similar position in another brigade?
2. If this power exists, in virtue of what regulation or of what section of the law can it be exercised?
3. In practice, do the authorities consider as similar, the position of a brigade major in a rural corps, which is called out every year for brigade training, and the position of a brigade major in a city corps, which is never called upon to practise brigade exercises?
4. Is an alteration in these conditions not to be considered rather a forfeiture than a promotion, and is it of a nature to strengthen a refusal which actual regulations seem to permit and justify?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes, if the interests of the service demand it.

2. It is done in virtue of the power conferred on the Commander-in-Chief to command the militia and in virtue of the rules and practices of the service.

3. Yes.

4. This question is not understood.

Hon. Mr. LANDRY—I am not surprised that the deputy minister does not understand the fourth question as it appears in English. The word I used in the French notice was 'permutation,' and this is translated 'alteration in these conditions', which does not convey any meaning. The translation was made by the officers of the House.

Rt. Hon. Sir RICHARD CARTWRIGHT —This answer is signed by Col. Fiset who, I presume, has a good knowledge of French. The inquiry has probably been forwarded to him in English.

Hon. Mr. LANDRY—When I read the English translation myself, I found it did not convey my idea.

Rt. Hon. Sir RICHARD CARTWRIGHT —Apparently the Colonel confirms my hon. friend's idea, that the question is not intelligible.

Hon. Mr. LANDRY—I suppose the question can be allowed to stand until a correct translation is made.

The question was allowed to stand.

THE FORTS AT BEAUMONT.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who prepared the plans of the forts which the government has caused to be built on the heights of Beaumont?
2. What position in the British army did the author of these plans occupy?
3. Has the government been informed that in 1908 the plans in question, or copies of them, had been delivered to the American authorities?
4. Has the government been likewise informed that, at the time of the tercentenary celebration at Quebec, Americans, disguised as English sailors, were able to visit the Beaumont forts and to become acquainted with the details of their construction and their armament?

Rt. Hon Sir RICHARD CARTWRIGHT —The answers are, to:

1. By officers of the Royal Engineers and Royal Canadian Engineers; mainly the latter.

2. Answered by 1.

3. No. In 1907 it was reported that a non-commissioned officer had deserted and carried away some important plans with him, but, upon investigation, this proved to be incorrect.

4. No. Special instructions were given to guard against the admission of strangers to defence works at Quebec during the Tercentenary. The District Officer Commanding Military District No. 7 has, however, been asked to report in regard to this matter.

INSPECTION AND SALE ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. THOMPSON moved the second reading of Bill (No. 9) an Act to amend the Inspection and Sale Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is that the Potato Act?

Hon. Mr. LANDRY.

Hon. Mr. THOMPSON—It is. The reasons which have lead to the introduction of this Bill apply more to the maritime provinces, perhaps, than to the west. In the Inspection and Sale Act, the standard weight for a bushel of potatoes is 60 pounds. There is also a standard weight for potatoes sold by the bag. In the maritime provinces, potatoes have seldom or never been sold by weight, but always by the barrel, without regard to weight. It did not matter whether they were completely filled or not, they were shipped by quantity rather than by weight. Of late years, large quantities of potatoes have been shipped from the maritime provinces to Cuba and the United States. They are purchased by commission merchants from the farmers and shipped in bulk in cars, and there has been a large difference of opinion in regard to what the standard weight of a barrel of potatoes should be. Some commission merchants have demanded as high as 180 pounds, while others have demanded 165 pounds. After purchasing the potatoes from the farmers, the commission merchants ship them to foreign markets where the standard weight of a barrel of potatoes is 160 pounds and get the advantage of the difference. As the standard weight for potatoes is 60 pounds to the bushel, and two and a half bushels fill a barrel, the weight proposed in this Bill as the standard for a barrel of potatoes, 160 pounds, seems reasonable. The object is to make the weight uniform with the standard in Cuba and the United States.

Hon. Mr. CLORAN—Did I understand the hon. gentlement to state that a barrel contains and can only contain two bushels and a half?

Hon. Mr. THOMPSON—There are different sizes of barrels. The barrel that is often used is the flour barrel which contains about two and one-half bushels.

Hon. Mr. CLORAN—That being the case, and knowing a little about barrels, having been in the flour business when I was young, I may say that a barrel cannot contain more than 196 pounds of flour, and cannot contain of any product more than two and one-half bushels. The standard

weight of a bushel of potatoes is 60 pounds; two bushels would be 120 pounds, and an additional half bushel would bring the weight up to 150 pounds. How are you going to force the farmer to put 160 pounds in a barrel that will only hold 150?

Hon. Mr. THOMPSON—It is for the purpose of fixing the weight of a barrel of potatoes. It is to apply where the articles are sold by the barrel weight, as is the practice in the lower provinces. They put in a refrigerator car a bulk quantity of potatoes, and for the purpose of knowing what the cost of that shipment in bulk, and what the commission merchant shall pay per barrel, they divide the quantity of the whole weight by 160 pounds. There is no penalty attached to it if the barrel only contained 90 pounds and a man wanted to buy it with that quantity of potatoes in it. This proposed legislation is not to regulate the quantity a barrel shall contain; it is merely to provide a figure by which you can determine how many barrels of potatoes there are in a consignment shipped in bulk in a car. You determine that by taking the whole weight and dividing it by 160 pounds.

Hon. Mr. CLORAN—This legislation is not merely for the lower provinces but it will affect the markets of Canada throughout. We sell potatoes in Quebec and I suppose they do so in Ontario. I know they sell them in barrels and by the bag, and we have municipal legislation forcing farmers when they sell a bag of potatoes to have 90 pounds in each bag. Take the Montreal merchant or the Quebec farmer, and you ask them to pack 160 pounds in a receptacle called a barrel in which he can only get 150 pounds, and what will happen? He will be liable under the law for selling light weight under this Bill. The hon. gentleman has pointed out that special barrels may be made to contain 160 pounds. You are going to make potatoes dear by doing so. The apples do not require new barrels. Flour barrels which are no longer used for flour are filled with apples. Once the flour is used, the empty barrels are dumped on the market at twenty-five cents apiece, and if you force the farmer to buy new barrels at seventy-five cents apiece you reduce his profits. I have no objection to protecting the community in regard to the sale of potatoes or any other commodity, but certainly parliament should not be asked to place on the statutes a law which it will be impossible for the farmer to comply with.

Hon. Mr. THOMPSON—160 pounds is to determine what represents a barrel of potatoes. If a man is buying in bushel baskets, and you are buying them by the standard barrel you simply put them on the scale and weigh them. If you said 'I want five bags of potatoes under this Act, bought under this standard, you take the ten half barrels, if shipped that way, and weigh them out. It does not mean the barrel will hold 160 pounds; it may only be 140. This is to determine the scale on which to work it out.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would suggest to my hon. friend to give the Bill a second reading. I have some amendments to propose, and when the Bill is in Committee of the Whole we can discuss the points raised more conveniently.

Hon. Mr. CLORAN—I have no objection.

Hon. Mr. THOMPSON—I may say that there is no intention to penalize a man for using a barrel containing less than 160 pounds. That is not the object.

Hon. Mr. CLORAN—But the Bill says so.

Rt. Hon. Sir RICHARD CARTWRIHGT—Any danger of that must be guarded against. The hon. gentleman is aware that the bushel measures which are used in ordinary trade often vary greatly. A bushel in one province is often found to be a great deal more than a bushel in another province, but we have made by statute the term bushel to mean a certain number of pounds, and if the measure by weight goes under or exceeds, the price is raised or diminished accordingly.

Hon. Mr. CLORAN—I am not opposed to the Bill. I do not want to be a party to putting a law on the statute-books which cannot be enforced. Anybody can ride

rough-shod over this Bill, in my opinion.

Hon. Mr. ELLIS—I think the matter should be definitely settled as to what the law means. This Bill says a barrel shall contain 160 pounds. Can the barrel contain that weight of potatoes?

Hon. Mr. CLORAN—No, not more than 150.

Rt. Hon. Sir RICHARD CARTWRIGHT—We will take that up in Committee of the Whole.

The motion was agreed to, and the Bill was read a second time.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, January 24, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (E) an Act respecting the Northern and Temagami Railway Company.—Hon. Mr. McHugh.

Bill (F) an Act to incorporate the Guardian Accident & Guarantee Company.—Hon. Mr. Casgrain.

H.M.S. 'CORNWALL' AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the government aware that in the last days of the month of October, one of his Majesty's ships, the 'Cornwall,' anchored in the harbour of Quebec, remained there during the whole period occupied by the Drummond and Arthabaska election, and departed on polling day or the eve thereof?
2. Was there any special interest attached to this visit, in such an advanced season, on the eve of the closing of navigation, and what reason may be advanced to explain the same?
3. At whose request, on the order of whom, and for what object did this ship come up the St. Lawrence river as far as Quebec?
4. Whence did she come and where did she return to directly?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are as follows:—

1. The government is aware that His Majesty's ship 'Cornwall' visited Quebec during the latter part of October and beginning of November on her regular training cruise.

2. No.

3 and 4. The government has no information on this subject.

ST. ROCH POST OFFICE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the price paid by the government for the land on which now stands the St. Roch, Quebec, post office?
2. What is the area of the said land?
3. What was the cost of the construction of the said post office?
4. What was the cost of furnishing it?
5. Who was appointed postmaster of the St. Roch post office?
6. What was the date of his appointment?
7. Does he receive a fixed salary or a percentage on the revenue?
8. What is his salary, if he receives such, or what is his revenue if he receives a percentage?
9. Is he at the same time keeper of the post office building, and how many rooms does he occupy?
10. How much does he pay for his lodgings or how much does he derive therefrom?
11. Has he any clerks to assist him in his duties? What number and at what salary?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. $27,700.71.
2. 4,060 Superficial feet.
3. $85,279.22 including cost of site and furniture to date.
4. $407.74.
5. J. B. Caouette.
6. 1st July, 1910.
7. He receives a fixed salary.
8. $900 per annum.
9. No, occupies 18 rooms including bath room and store room.
10. Nothing to the Department of Public Works, and no knowledge as to any revenue he may derive.
11. Three clerks are employed in the St. Roch post office, one at a salary of $900 per annum; one at a salary of $700 per annum, and one at $2.25 per diem.

VIADUCT AT ST. FELIX DU CAP ROUGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the height and length of the viaduct which connects, in the parish of St. Felix

du Cap Rouge, the two embankments between which the bed of the river is situated?
2. What was the cost of this work?
3. Does it form part of the Transcontinental line?
4. If not, of what line?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The height from base of rail to high water mark is 153.92 feet and the length of the viaduct, three thousand three hundred and thirty-five feet eight inches.

2. $899,596.56.

3 and 4. Yes.

PEDIGREED ANIMALS AT STADACONA FARM.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Did not the Langelier estate, at the time of the sale to the government of the Stadacona farm, also offer to sell pedigreed animals, the herds of which had, more than anything else, established the reputation of the farm?
2. Why did not the government seize this opportunity of securing at once the purchase of the said herds?
3. Was it because the price was too high?
4. What was the price asked?
5. If the price was no objection, what was the reason for the government objecting to purchase these herds or part of them together with the farm?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. 2. 3. 4. 5. In acquiring the Stadacona farm it was agreed that the vendor should not dispose of any of the animals which the government considered suitable for the purpose of the station without first giving the government an opportunity of purchasing the same.

FRENCH EDITION OF KING'S MILITIA REGULATIONS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the King's regulations and others for the Canadian militia, 1910, been translated into French and published in pamphlet form with a suitable index?
2. How many copies of this manual were printed in English?
3. How many in French?
4. If the French manual is not yet ready for distribution, when will it be, and how many copies will be printed?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes, but the book has not yet been received from the printer.

2. 6,000 copies.

3. 500 copies.

4. It is expected that the 500 French copies will be received from the printer early next week, when they will be immediately distributed.

Hon. Mr. LANDRY—In pursuance of my next notice I would call the attention of the government to the following facts:

1. In 1812, on the 5th May, the Adjutant General of the militia of Lower Canada published the following circular:—
(Circular).

Office of the Adjutant General of the Militia of Lower Canada,
Quebec, 5th May, 1812.

His Excellency the Commander in Chief finding it necessary to establish a uniform system for the exercise and instruction of the militia of this province, has commanded me to cause to be printed and circulated the following rules and regulations for the information and guidance of the officers; and to signify to you his desire that what is herein contained may be strictly observed by the battalion under your orders.

His Excellency further commands me to inform you that copies of the said regulations will be sent to His Majesty's inspectors of militia, who will be commanded to report every deviation which they may observe to be made in the different battalions which they may be ordered to inspect.

By order of His Excellency.
F. VASSEL DE MONVIEL,
Lieut. Colonel and Adjutant General of the Militia of Lower Canada.

To the colonels or lieut.-colonels commanding battalions or divisions of the militia.

2. The circular was published in English and French and accompanied the publication both in English and French of a manual entitled:—
By order of His Excellency.

Office of the Adjutant General of the Militia of Lower Canada.

RULES AND REGULATIONS
FOR THE
FORMATION, EXERCISE AND MOVEMENTS
OF THE
MILITIA OF LOWER CANADA

Published by Order of His Excellency the Commander in Chief.

QUEBEC.
Printed at the New Printing Office.
1812.

3. This manual of 1812 for the use of the Canadian militia of the province of Lower Canada contained, simultaneously, opposite one another, the two versions, English and French, not only of the explanations necessary to the understanding of the exercises and movements of the Canadian militia, but also of the words of command, as they were then given to the troops, as it is proven by the following example, clearly demonstrated by a reproduction of pages 173 and 174 of the said manual:—

FIRST MANOEUVRE—PREMIERE MANOEUVRE.

Close Column in rear of the right division.—La Colonne en Masse en arrière de la division de la droite.

Commanding Officer.		Words of Command by Officers of divisions.	Commandements du Chef.		Mots des officiers de division.
Caution.	Commands.		Mots d'avertissement.	Mots d'exécution.	
The battallon will form column of divisions in rear of the right division.	Remaining divisions to the right face (1) quick march.	2nd division, halt, front, dress. 3rd do do &c.	Le bataillon formera une colonne en masse en arrière de la division de la droite.	Divisions de gauche, à droite (1). Pas redoublé, marche (2).	2e division, halte, front, alignement. 3e division, do do etc.
Form column of grand divisions (3).	Left divisions to the left face (4) quick march.	2nd division, halt, front, dress, (5) march.	Former la colonne de grande division (3).	Divisions de gauche à gauche (4). Pas redoublé, marche.	2e division, halte, front, alignement (5), marche.
The column will close to the front (6).	March.	Halt, dress, eyes front, &c. 2nd grand division, halt, dress. 3rd do. do. &c.	La colonne serrera le front (6).	Marche.	Halte, alignement, fixe, etc. 2e grande division, halte, alignement. 3e do do etc.
The column will take ground to the right, and on the march deploy on the rear grand division.	To the right face quick march (7) 5th grand division, halt, front.	Dress (8) 5th grand division, march, halt, dress, eyes front.	La colonne marchera à droite et en marche déployera sur la grande division de l'arrière.	A droite, pas redoublé, marche (7). 5e grande division, halte, front.	Alignement (8), 5e grande division, marche, halte, alignement, fixe.
	4th grand division, halt, front.	Dress 4th grand division march, halt, dress, eyes front.		4e grande division, halte, front.	Alignement, 4e G.D., march , halte, alignement, fixe.
	3rd do. do, &c.	Dress 3rd do. do. &c.		3e do do etc.	Align. 3e do etc.
	2nd do. do. &c.	Dress 2nd do. do. &c.		2e do do etc.	Align. 2e do etc.
	1st do. do. &c.	Dress 1st do. do. &c.		1re do do etc.	Align. 1re do etc.

N.B.—The numbers in brackets refer to the notes of the book.

N.B.—Les chiffres entre parenthèses refèrent aux notes du livre.

My inquiry is:

Does the government intend to revive the traditions of a past not lacking in glory, and to continue, for the benefit of the descendants of militiamen who then defended the British Crown, the use of a language which will enable our rural population to better understand, if not their duties towards the King, at least the orders they may receive from him, and which will place them in a position to fulfil the same more intelligently and promptly?

In 1812 our Canadian Militia was under the command of British officers, as they are now, but in those days the rural battalions or regiments in the province of Quebec being composed almost entirely of the French speaking population of that province, were commanded in the French language, as is proven by the extracts which I have given, and it was done in a very simple way. The commander in chief used to give the English word of command as the regulations pointed out, and that command given by the commander in chief was repeated by the brigadiers or the commanders of the different regiments in English when they were addressing the English troops, and in French when they were addressing the French troops, and all the lower grade officers commanding units in the Canadian militia would repeat the command when it was a French company in French, and when it was an English company in English, and in that way everybody understood the word of command. At the present time, in the province of Quebec, our regiments—and I am speaking of the rural regiments—are composed in part of the population from the rural districts. Most of them do not understand the English language. They are brought into camp and trained for twelve days and at the end of that time, most of them who do not know the English language can only understand the commands more by motions than by sound. They may understand 'right' and 'left' but it takes some time for people who do not speak English to understand the words of command, consequently a great deal of time is wasted in our camps trying to make the privates understand thoroughly the significance of each command. It is a very great drawback for our troops.

Rt. Hon. Sir RICHARD CARTWRIGHT —The government are by no means unmindful of the glorious traditions to which my hon. friend has alluded. Nevertheless it is not the present intention of the government to publish Regulations and Orders for the Canadian militia, and other books and orders issued by the Department of Militia and Defence for the instruction of the militia, otherwise than as at present, viz.:—in the English language, and, so soon afterwards as the translation can be done in the French language.

Hon. Mr. LANDRY—In answer to the observations of the right hon. gentleman, I may say that the permanent corps, today composed of not more than 5,000 men, is not only considered to be for the purpose of policing the Dominion, but is composed, as far as the officers are concerned, of men who are supposed to have taken a course at our military colleges and are qualified to impart their knowledge and skill to the militia at the annual camps. There is a proviso in the militia law which imposes on them a duty to understand English and French, especially in our province. At the last camps held at Lévis, Three Rivers and Montreal there were not competent instructors in both languages. An instructor in English cannot impart to the troops all the knowledge of drill to which they are properly entitled and if the military authorities of this country do not think fit to give the word of command to the people who are serving the King in the Canadian army so that it will be understood, they should at least furnish instructors properly qualified in both languages, in order that they may be able to explain the commands in French so that the French militia may understand them. I am told that in India and Egypt, the troops which serve under the British Crown are commanded in English; but all the explanation of the words of command are given in the language of the people in each country. In India, where there are many languages spoken, the explanations are given in fifteen or twenty different languages, and the troops are commanded in native languages.

Rt. Hon. Sir RICHARD CARTWRIGHT —I believe in the case of the cadets of

the Royal Military College, instruction in the French language is required, and in the case of the instructors of musketry, a reasonable proportion of them, not all, are required to understand French. There is no doubt my hon. friend is quite right in saying that in the case of French corps it is evidently desirable that the officers in command and the instructors should understand both languages, and I have no doubt the department will give due weight to the considerations he has advanced.

THE QUARANTINE SERVICE AT GROSSE ISLE.

INQUIRY.

Hon. Mr. LANDRY inquired:

Is it the intention of the government to organize the quarantine service at Grosse Isle, so as:—

(a) To prevent any ship, suspected of having a contagious disease on board, from sailing past, at all times of day or night, without having been subjected to a thorough inspection.

(b) To have, on the island itself, all apparatus necessary to the immediate detection, by way of analyses, microscopical examination or otherwise, of the undeniable existence of any contagious disease.

(c) To properly house, at all seasons, and for the whole period of detention, all persons stricken with any contagious disease.

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follow:—

(a) The quarantine service as at present organized with the penalties under the quarantine regulations, and the fact that no vessel can make customs entry without a quarantine clearance, have been so far sufficiently deterrent.

(b) The erection and installation of a bacteriological laboratory, and the appointment of a resident expert bacteriologist, are now under consideration.

(c) Yes.

FRENCH EDITION OF CANADIAN ARCHIVES REPORT

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the date of the publication of the English edition of the report concerning the Canadian Archives for 1905, in three volumes?

2. The date of publication of the French edition of the same report?

3. Since 1905, has a French edition of the reports concerning the Canadian Archives for 1906 and following years, been published?

4. If not, why not?

Rt. Hon. Sir RICHARD CARTWRIHGT —The answers are:—

1. First volume of the English edition of the Archives report for 1905 was published in 1906.

Second volume of the English edition of the Archives report for 1905 was published in 1906.

Third volume of the English edition of the Archives report for 1905 was published in 1907.

2. First volume of the French edition of the Archives report for 1905 was published in 1907.

Second volume of the French edition of the Archives report for 1905 was published in 1909.

Third volume of the French edition of the Archives report has been in the press since 1909. Five hundred pages have been printed, but as this is a volume of constitutional documents it was thought desirable to have the manuscript revised by Mr. Sirois of Quebec. His revision is not yet complete.

3. Yes. Included in the annual report of the Minister of Agriculture, tabled annually, but not published separately as in 1905.

4. Answered by 3.

Hon. Mr. LANDRY—The French edition is published four years after the English edition?

Rt. Hon. Sir RICHARD CARTWRIGHT —Two years.

Hon. Mr. LANDRY—The second volume of 1905 was published in English in 1906, and in French in 1909, that is three years after the publication of the English edition.

THE QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the entire Quebec bridge the present property of the government?

2. Does it form part of the Grand Trunk Pacific and on what grounds?

3. Is it not rather used as a distinct property belonging to the government, as a link between the two trunk lines of the Grand Trunk Pacific?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. The government took over the Quebec bridge project by Act of parliament.

2. The bridge will undoubtedly be used by the Grand Trunk Pacific.

3. The bridge is being constructed by the government independent of the Grand Trunk Pacific.

PAYMENTS BY DEPARTMENTS TO J. B. LALIBERTE.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing, year by year, from July 1, 1896, up to date, the amounts paid to Mr. J. B. Laliberte, of Quebec, merchant, by each of the departments of the government of this country.

The motion was agreed to.

PAYMENTS BY DEPARTMENTS TO MR. DE COURCY.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing, year by year, from July 1, 1896, up to date, the amounts paid to Mr. De Courcy, contractor, by each of the departments of the government of this country.

The motion was agreed to.

THE DERY RESTAURANT AT THE IMMIGRATION BUILDING. QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production, in detail, of the accounts and claims filed at the Department of the Interior, or the Immigration office, Quebec, by Mr. Jacques Dery, restaurant keeper, during the navigation season of 1910.

The motion was agreed to.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the cost, for 1910, of the lighting and heating of the rooms occupied by the restaurant keeper in the immigration buildings at Quebec?

2. Is Mr. Jacques Dery obliged to pay anything for the lighting and heating of the rooms he so occupies?

3. How much? And, has he paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are:

1. Electric lighting is at the rate of $3 per annum for 16 candle-power. Dining-room 30; kitchen 5; pantry 3; servants rooms 2—40 lamps at $3—$120 per annum. The heating is included in the general heating of building and cannot be subdivided.

2. No.

3. Nothing.

TRANSFERS OF MILITIA OFFICERS.

INQUIRY.

Hon. Mr. LANDRY inquired:

The military authorities having, under the authority of section 183 of the King's Orders and Regulations for the Canadian Militia, 1910, appointed an officer brigade-major for a fixed period of three years, can they subsequently, but before the expiration of the period of his term of office, force that officer, without his knowledge and against his will, to change and accept a similar position in another brigade?

Cannot a permutation, in these conditions, be looked upon as a reduction in rank rather than a promotion, and is it not of a nature to add force to a refusal of the same, which the regulations would seem to permit and justify?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following is the reply of the department to the last question: 'It is not regarded as a permutation in rank. Technically both appointments are equivalent.'

The other questions have already been replied to (vide unrevised 'Hansard' of the Senate, January 20, pp. 124 and 125.)

THE LIEUTENANT GOVERNORSHIP OF QUEBEC.

Hon. Mr. LANDRY—Before the orders of the day are called, I wish to direct attention to a paragraph which appeared in 'Le Canada' of to-day. I translate it as follows:

A Nationalist journal of Sunday credits the Hon. Mr. Casgrain very credulously with the intention of seeking the position of Lieutenant Governor of the province of Quebec. It is very bad taste on the part of our contemporary to speak of a possible successor to Sir Alphonse Pelletier, who is at present sick and under treatment in the United States. Besides that, we believe, in fact we know, that the Hon. Mr. Casgrain is yet full of vigour and energy and that he has too nice a career before him to dream for a moment of burying himself in Spencerwood.

I should like to know if there is any intention on the part of the government to participate in that funeral?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no information whether the government have any intention.

BILLS INTRODUCED.

Bill (19) An Act respecting the Manitoba and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

Bill (21) An Act respecting the Vancouver and Lulu Island Railway Company.—Hon. Mr. Bostock.

SECOND READINGS.

Bill (34) An Act respecting the Walkerton and Lucknow Railway Company.—Hon. Mr. McMullen.

Bill (17) An Act respecting the British Columbia Southern Railway Company.—Hon. Mr. Bostock.

INTEREST ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. McHUGH (in the absence of Hon. Mr. Derbyshire) moved the second reading of Bill (6) An Act to amend the Interest Act.

Some hon. MEMBERS—Explain.

Hon. Mr. McHUGH—I have not had charge of the Bill, but, as I understand, it is to enable a person who has mortgaged his property to discharge the mortgage when overdue on payment of one month's interest, instead of having to pay three months' interest as formerly. I am only speaking from recollection of the Bill as it came from the House of Commons.

Hon. Sir G. W. ROSS (Middlesex)—My hon. friend from Lindsay has explained the Bill. Under Sec. 10 of Chap. 120 of the Revised Statutes, it is provided that when a mortgage extends beyond five years it can be paid off on payment of the principal and interest overdue, by advancing three months' interest or giving three months' notice. That did not apply, however, to mortgages given by a joint stock company or other corporations. Section 10 of Cap. 120, Revised Statutes does away with the original section, and substitutes the new provision explained by the hon. gentleman. It is a very simple provision, and enables those who are borrowers to get rid of the obligation on giving one month's notice or payment of one month's interest. It has come up from the Commons, where it was passed unanimously.

Hon. Mr. POWER—I think that the House should not be in too great a hurry in dealing with this matter. In the first place, as to the policy of the measure, it must be borne in mind that while we look after the interest of debtors who may sometimes suffer from having to pay three months' unearned interest, and who, if this Bill went into operation, would have to pay only one month's interest, we should also have some consideration for the position of the lenders. Although generally, the mortgagee is supposed to be a tyrannical capitalist, as a matter of fact when not a trust company—and this does not apply to trust companies—the mortgagee is very often a widow or a representative of widows and children, and to say that a party who owes a very considerable sum of money on mortgage, can at any time that he pleases pay off that mortgage, with the addition of only one month's interest, is a proposition about which there may be two views. The law as it now stands, requires three months' notice or three months' interest. Take the case of a trustee or executor who loans money on behalf of the family interested in the estate which he represents, which may be a considerable sum of perhaps eight or ten thousand dollars. It may be very difficult in some places—though not in the new provinces in the west—to secure a suitable re-investment for that money on behalf of the parties who are dependent on the income arising from the mortgage for their livelihood. I call attention to this in order to show that on the merits there is something to be said on both sides. There is another point also which I think is perhaps very important. Under our constitution, parliament has the right to deal with interest it is true, but that right is merely the right to deal with the rate of interest which may be exacted. Parliament, as I understand it, has not the right to deal with civil rights in the province, and mortgages are things

which are controlled by the provincial legislatures. The rights of the mortgagor and the mortgagee are things which are dealt with by the provincial law, and I doubt if we have the right to interfere with them. It is true that in this chapter 120, of the Revised Statutes, parliament did undertake to deal to a certain extent with this question of the paying off of mortgages and the interest to be allowed; but my own feeling is that when parliament did that, it perhaps travelled beyond its proper sphere. I do not propose to move against the second reading of this Bill; but I have grave doubts as to whether parliament has the right to pass this measure, and I trust the Committee of Banking and Commerce to which this Bill will be referred, I assume, will give reasonable consideration at any rate to both the objections—to the constitutional objection and to the question of policy.

Hon. Mr. CLORAN—If the interpretation of the Bill just given by the hon. gentleman from Halifax is correct, it certainly should not be before parliament. He has said that one of the objects of the Bill is to give the right to the debtor to cancel the mortgage at any moment and pay it off when he pleases.

Hon. Mr. DERBYSHIRE—No; after the mortgage becomes due.

Hon. Mr. CLORAN—I know; that is what I am coming at. If the statement of the hon. senator is correct, the Bill would not be a fair one, and the hon. senator from Halifax stated distinctly that it would be unjust to the creditor, the lender, to give to the borrower the option to pay off his mortgage at any time. The Bill does not say anything of the kind. The Bill does not say that the borrower shall have the right to pay it at any time. It is only after the mortgage has become matured. It is only when the time mentioned in the agreement, or contract, has expired, and the mortgage is overdue, that the borrower shall have a right to go to the lender, or the mortgagor to go to the mortgagee, and say: 'My mortgage is overdue; I am prepared to pay you. The law in the past gave you the right to collect from three to six months' interest to allow me to pay off that debt. Now, under this law, I am only obliged to pay you one month's interest.' That, to my mind, is fair, especially when the mortgage has matured and is overdue. If the lender wants to continue and renew the mortgage, let him enter into a new agreement. If he, in the first place, has lent money for five years, the borrower cannot pay that off before the five years have expired without his consent. If at the end of the five years the borrower does not pay the money, the mortgagee has a right of action against him and can sue in the courts for the recovery of the amount. If he allows the mortgage to run that is his own business; but we should not compel the mortgagor to pay him six months' interest when he is prepared to pay it off. If the lender, after his mortgage expires at the end of five years, wishes to renew the same contract, all he has to do is to sign the same document over again. He has not to go to a notary or lawyer, but simply to duplicate it; so that, under the circumstances, the Bill is not as radical as the hon. gentleman from Halifax would lead us to believe. When the mortgage is overdue and the lender is not anxious to renew it, one month's interest is enough to call quits, especially when the debt is all paid off. If the borrower wants an extension, all he has to do is to ask the lender to extend the time. I think the Bill is an improvement on the old condition of things, especially as it affects mostly farmers. It does not affect borrowers in the city very much. It is farmers in the country who may not have the money at the very moment the mortgage is due, who allow these things to run. Their crops are not yet sold, and they are unable, at the moment, to lay their hands on the money. Under the old law, when the mortgage was overdue for one day, if the mortgagor went the next day to the lender he could not discharge that mortgage without paying from three to six months' interest, and that by sanction of law.

Hon. Mr. CASGRAIN—In Quebec?

Hon. Mr. CLORAN—In Ontario.

Hon. Mr. CASGRAIN—Or for the whole Dominion?

Hon. Mr. CLORAN—I am not discussing the constitutional point. I am discussing

the merits of the Bill as far as it affects the borrower, especially the farmer. The constitutional view can be taken up later on. I understand that conflicting views are held in this regard.

Hon. Mr. CASGRAIN—It is not the law in Quebec.

Hon. Mr. CLORAN—There can be no objection to a borrower paying off his debts on giving one month's interest.

Hon. Mr. DAVID—I think the constitutional question is properly raised, and that this Bill does not come within the jurisdiction of parliament. Every hon. member of this House knows that property and civil rights come within the jurisdiction of the provincial legislatures, and this is a question evidently of property and civil rights. According to our law, especially in the province of Quebec, a mortgage is a matter of civil law, and if this Bill is passed it will affect property and civil rights. What is the object of the Bill? It is not a question purely and solely of interest. The object of the Bill is to relieve property from a lien, or mortgage, which had been established upon that property by the mutual consent of the debtor and creditor. We already have the legal means in our province to do what is required under such circumstances, and it is within the jurisdiction of the provincial legislature to legislate upon this question. Every question which affects property and civil rights is within the jurisdiction of the provinces, and not of this parliament. So that I am asking myself whether we are within our rights in consenting to the second reading of this Bill. If the hon. gentlemen read section 92, subsection 13, of the British North America Act, they will see that property and civil rights are within the jurisdiction of the provinces.

Hon. Mr. CHOQUETTE—I entirely concur in what has been said by my hon. friend, but I will not oppose the 2nd reading of the Bill, if the mover consents to send it to the Committee on Banking and Commerce; which I think is the proper place to discuss the question of jurisdiction, because all the provinces will be represented there. As I understand it, Ontario and Quebec have legal agents to represent them before the committee on these provincial questions, and this Bill is certainly a provincial matter. Civil laws regarding the question of mortgage and interest are not the same in Ontario as in Quebec, so that without adopting the principle of the Bill I personally will have no objection to the 2nd reading. But it will be understood that when the Bill goes before the committee on Banking and Commerce, that the clerk of the committee shall notify the Attorney Generals of the provinces. With this reserve, I am willing to let the 2nd reading go; but I am clear on the proposition that it is purely a provincial and civil right, and I certainly object most strongly to the principle of the measure.

Hon. Mr. EDWARDS—Would this not be properly a Bill to go to the Banking and Commerce Committee? It is not a public Bill.

Hon. Mr. CASGRAIN—The three hon. gentlemen who have spoken, the hon. gentlemen from Victoria Division (Hon. Mr. Cloran), Mille Isles (Hon. Mr. David), and the hon. gentleman from Grandville (Hon. Mr. Choquette), are lawyers—good lawyers. Still they do not explain to the Senate—and I suppose it is not for me to explain—that in the province of Quebec we have no such thing as mortgages. We have hypotheques, which are not the same thing at all.

Hon. Mr. CHOQUETTE—It has the same meaning.

Hon. Mr. CASGRAIN—No, it has not the same meaning. The hon. gentleman might let me explain, and he can correct me if I am wrong. A mortgage amounts to a sale. It is a conveyance of the ownership or at all events of the legal estate of the owner. In that way a mortgage is equivalent to a sale, while a man holding a hypotheque is simply a preferential creditor, nothing more nor less, and you will see an immense difference. The property itself is not vested in the holder of the hypotheque the same as in the holder of the mortgage. The hypotheque confers upon the holder the right, if he is not paid, to bring the property to sale and to be paid

by preference to other creditors out of the proceeds, I think the honourable members who spoke before me should explain. In the province of Quebec, I do not know that you are obliged to pay three months' interest if the borrower allows the time when the hypotheque is due to expire.

Hon. Mr. CLORAN—He will sue.

Hon. Mr. CHOQUETTE—If the money is not paid in a certain time, it goes by default.

Hon. Mr. CASGRAIN—A mortgage is one thing and a hypotheque is another. The system in Quebec is different from the system in Ontario.

Hon. Mr. McHUGH—I might say that a Bill of this kind is nothing new to the parliament of Canada. I am not a lawyer, but I can recall different occasions on which the Parliament of Canada has dealt with Bills similar to this. Years ago, we know that loan companies carried on business in the country on what we remember as the instalment plan. A Bill was introduced in the parliament of Canada stating that the amount of interest the mortgage was bearing should appear in the mortgage, just on a parallel with the Bill now before us. We were dealing with interest the mortgage should carry, and later on we passed a Bill providing that a mortgage could be paid off when overdue on payment of a bonus of three months' interest, and now they are asking to reduce it to one month.

Hon. Mr. DERBYSHIRE—I cannot see any harm in allowing the Bill to go to committee where the whole matter can be thoroughly discussed, and if it is found to be within the power of parliament, we can pass it, and if not we can throw it out.

Hon. Mr. CHOQUETTE—In answer to the hon. gentleman from Victoria, I may say that the French version shows that it refers to both Ontario and Quebec laws. In Ontario, they have what is called a chattel mortgage. We have no such thing in Quebec. The French translation speaks of both kinds of guarantees. It reads:

Lorsque le capital, l'intérêt ou une autre somme d'argent garantis par mortgage ou hypothèque créé, et——

Hon. Mr. CASGRAIN—Will the hon. gentleman kindly explain the difference between 'mortgage' and 'hypotheque.'

Hon. Mr. CHOQUETTE—We have no mortgage really in Quebec. A chattel mortgage is a guarantee on movables. In Quebec a hypotheque gives a guarantee on real property, which makes a man a privileged creditor. So that it is a civil contract, especially in the province of Quebec. That is civil law, and I think parliament has no right whatever to deal with this question.

Hon. Mr. CLORAN—With reference to the legal aspect of this question, the Bill does not affect the principle which underlies the clause in our code governing hypotheques at all. To my mind, the Bill is something like the measure which was passed by parliament, providing against excessive interest. It is on the same principle and on the same line. If I for one moment felt that this Bill was an infringement on the rights of the provinces, I would certainly be opposed to it; but in the clauses of this Bill there is no mention of hypotheques. The hon. gentleman from Grandville has pointed out the difference in the French version in regard to hypotheques and mortgages. As the hon. gentleman has stated very fully, we have no mortgages so called in Quebec. We have hypotheques, and now anybody in Quebec can make the same stipulations in regard to hypotheques as are made in Ontario and other provinces. A company can in Montreal, Quebec or any other city lend money on property.

Hon. Mr. CASGRAIN—And take a mortgage?

Hon. Mr. CLORAN—Take a hypotheque on $5,000 or $10,000 worth of property. The company can say to the borrower 'We lend you this money for two years, and at the end of two years if you do not pay it, the interest will be ten per cent instead of six; and at the end of two years, when the hypotheque becomes due and it is not paid, if he wants to pay it a day or two days or two months afterwards the company may stipulate that he must pay six months' interest, and we want to guard against that. If the legislaure of the province does not

consider it to be its duty to prevent companies from making such stipulations in contracts, I would certainly be in favour of this parliament intervening; but I am not prepared to say the provinces shall not do it. I have no objection to the Bill. I am prepared to have it go to the committee, and have it threshed out there. I am fully in sympathy with the suggestions made by the hon. gentleman from Grandville that the attorneys general of the provinces should be present when the Bill will come up for discussion.

Hon. Mr. DAVID—Will the hon. gentleman read the French version?

Hon. Mr. CHOQUETTE—The clause reads:

Lorsque le capital, l'intérêt ou une autre somme d'argent garantis par mortgage ou hypothèque créé.

That will affect our Quebec laws.

Hon. Mr. WOOD—The meaning of this Bill is not clear to me. I do not know whether it is understood by other members of the Senate; but the meaning is certainly not clear to me. Clause 10 of the Act in the Consolidated Statutes to which reference is made, applies to mortgages where the date of payment is more than five years from the date of the mortgage.

If, after the expiration of five years, the debtor (or the mortgagor) choose to pay the mortgage he can do so by giving certain notice to the mortgagee. This Bill seems to be something on the same lines, to enable the mortgagor to pay the mortgage off. The point I am not clear about is that he is entitled to pay the debt after the date stipulated in the agreement has expired for payment thereof, or the date which may be stipulated in any renewal or agreement. If it means that he can only give this notice after the time mentioned in the mortgage or the renewal agreement has expired, I do not understand the necessity for the Bill. At all events, in the province from which I come, New Brunswick, so far as I know, after the time has expired it is stipulated in the mortgage or any agreement for the payment of money that when the time has expired the debtor may pay at any time. He does not require to give three or one month's interest, but by paying the amount of the mortgage, and the interest up to date, he can pay it off at any time after the due date.

Hon. Mr. CLORAN—That is the law all over except in Ontario.

Hon. Mr. WOOD—If that is the law all over, I see no necessity for this legislation, unless it is intended to mean that in certain cases the debtor can pay before the date mentioned in the mortgage as the time for payment. I do not so understand it, and I can hardly think it means that. Unlelss it means that, I can hardly see what it means. I quite agree with what is said so far as the proper place for this legislation. If there is any legislation in the province of Ontario which has created a different condition of things from what we have in other provinces, I think the legislation to remedy that condition of things should be enacted by the local legislature of that province, and the same with Quebec if there are any different conditions there. I sympathize personally with the view taken by those who have said that this legislation should not be brought here but should go to the province, although I do not object to any legislation which will tend to protect the debtor from a creditor; yet I have not much faith in this kind of legislation. I doubt if section 10 of chap. 120 of the Revised Statutes has ever been of any practical service to any debtor in the country. It stipulates that if a mortgage is given and the date of payment fixed at a period greater than five years, the debtor can, after the expiration of five years, by giving notice and paying certain interest, have the mortgage discharged. But what is the effect of a piece of legislation like this? The effect is that no creditor would take the mortgage for more than five years, and if at the end of five years the borrower wished to continue the loan, and the mortgagee wished to continue it also, it would simply mean making a new mortgage for an extended time. The mortgagor has to pay for extending the old mortgage, and has to pay the legal expenses of having the new mortgage created. In my own

opinion such legislation is mischievous. It does not result in any good, and as a general rule is more oppressive to the debtor than it is to the creditor. However, I presume this Bill will be sent to the Committee on Banking and Commerce, where we can hear from those who are in favour of it, and thoroughly understand its provisions, and have it explained more fully than it can be to-day.

Hon. Mr. LOUGHEED—I am opposed to the policy and principle of the Bill on the ground that it is a manifest interference with the law of contrast, particularly in a class of cases where there cannot be said to be any marked hardship. Much legislation of this character originates through some isolated and aggravated case, to which possibly attention of the member of the district may be invited, and he concludes that general legislation should be placed upon the statute-book, notwithstanding the absence of hardship, except in that particular case. In the first place, manifestly this legislation is going to apply to every province of the Dominion of Canada. I see no distinction between a mortgage and a hypotheque.

Hon. Sir RICHARD SCOTT—Hear, hear.

Hon. Mr. LOUGHEED—Both are simply charges upon land. My hon. friend from De Lanaudière (Hon. Mr. Casgrain) has given us a scientific explanation of what both securities mean in the different provinces, and has explained that he is not a lawyer, which I think is manifest, but a land surveyor. I think he entirely mis understands what a mortgage is in the English speaking provinces. A mortgage is simply a charge upon land. It is not a conveyance to the mortgage of the legal estate; but operates merely as a security upon land.

Now this is not going to operate as a relief to the mortgagor, as seems to be the impression on the part of those who sympathise with him. The operation of this law, if it came in force, would be that the mortgagee, on the expiration of the mortgage would not trust to the whim or caprice of the mortgagor to give the thirty days' notice at any time he might choose. The mortgagee would, if default should be made at the due date of either interest or principal, at once start proceedings for the recovery of his principal and interest. It is manifestly to the advantage of the mortgagor that the law should remain as it is to-day. Could it be said that a mortgagor is injured or is entitled to relief if, say for a period of four or five years, he goes on paying his interest at a particular rate on the principal money, and then makes default, notwithstanding his knowledge that the mortgage must be paid at the date of default, should he continue to go on to the next due date and pay the interest he has been paying for a series of years? My hon. friend from Westmorland (Hon. Mr. Wood) did not appreciate the fact, that this would only apply in the case of a mortgage in which there is a provision or covenant that if the principal and interest are not paid at the due date, the mortgagor shall not be entitled to pay that principal and interest until the following due date, which may be three or six months distant. Now, if the payment of the principal money and interest is postponed until that subsequent date, can it be said that the mortgagor is suffering any hardship by reason of that? He has been paying his interest for years. He is not called on to pay any penalty, because the law as we have it to-day prohibits a penalty being imposed. He simply continues the normal conditions that have been going on for the series of years in which the mortgage was current. Where is the hardship? I fail to see it; but if you pass a rigorous law and say, after default is made by the remissness of the mortgagor himself, that the right of the mortgagee shall not be recognized, that notwithstanding the contract entered into between the parties the mortgagee shall not have rights, but the mortgagor must have all the rights, and may ignore the passage of the default date and go on at any time afterwards to discharge his debt on thirty days' notice, when possibly he should have given three months' notice, you are only going to induce the mortgagee at the due date to take proceeding by way of legal action. Then again there is the question of contract. Are we to go on legislating for all time to protect debtors from creditors? It seems to me that we are going to create a spineless community

who will consider themselves absolved from giving thought to contracts into which they may enter, and rely upon the paternal solicitude of the government to protect them under a statue when they ignore their obligations. I do not think that is good policy. Then there is the further consideration, that capital is always sensitive to restrictions of this character. Money can always command a reasonable contract for its use, and if parliament will step in and take from the borrower and lender the right to enter into such a contract as they themselves may in their discretion choose to make, it seems to me it is going to place a clog on the free use and employment of money, particularly in cases of this kind. Furthermore, this matter, as I see it, is peculiarly a matter of contract, something for the provinces to deal with. If hon. gentlemen look through this Bill they will see that it does not deal with interest at all, but simply with the element of payment. It is conceded that the provinces have the right to legislate on property and civil rights. This Bill comes in and says, notwithstanding the fact, that two parties may enter into a solemn contract, dealing with the question as to the time and the manner in which principal and interest shall be paid, the Dominion parliament can step in and make a manifest encroachment on the right of the provinces and say, 'No, you shall not do that, we under the evasion, or equivocation of deal ing with the subject of interest, will interfere in the contract! I submit this is not a question of interest at all but a matter of contract in which the provinces are entitled to legislate and with which we should not interfere in the parliament of Canada.

Hon. Mr. POWER—I cordially endorse everything that has been said by the hon. leader of the opposition; and I wish to point out the condition in my own province. The hon. member from Westmorland has told us how it is in the province of New Brunswick. In Nova Scotia, the usual practice is to lend money for one year certain. The mortgages are nearly all drawn in that way. The borrower covenants to pay at the expiration of one year, and the practice is if the mortgagor is in a position to pay at the end of the first year he does so; but, as a rule, mortgages are allowed to run from year to year until the mortgagee very much needs his money or the mortgagor is anxious to cease paying interest. Under this practice it requires three months' notice before paying off. I quite concur in what has been said by the leader of the opposition and the hon. member from Westmorland, that the effect of passing this Bill will be to do more real harm to the borrower than it will do good, because if this measure becomes law, the lender will immediately, when a mortgage becomes due, insist upon being paid, and if he is not paid he will—in the province of Nova Scotia, at any rate—immediately take steps to foreclose and pile up costs on the mortgagor in addition to the interest due up to the day of payment. This is a question whicih has two sides to it, if indeed it has two sides, and I think it is a question which can be better discussed in the comparatively small arena of a committee than here on the floor of the House. I understand the hon. gentleman in charge of the Bill is quite willing that it should be referred to the Standing Committee on Banking and Commerce, with the understanding that they shall consider it and report to the House.

Hon. Mr. McMULLEN—I happened to be a member of the House of Commons when a Bill was brought in to provide for the payment of any mortgage at the expiration of the first five years of its existence. The Bill was introduced by Dr. Orton, of Central Wellington. At that time very great hardship was suffered by borrowers through societies lending money at long dates and high rates of interest. The Canada Permanent, for instance, and several other companies, loaned money for ten, fifteen and twenty years at a fixed rate of interest. A number of borrowers found, after a few years, that they could get money at very much less rates of interest than they had been paying if they only had an opportunity of paying off the mortgage. At the time the Bill was introduced by Mr. Orton, no objection was raised as to provincial rights. I do not know why it was not.

Hon. Mr. POWER—The loan companies probably come under our jurisdiction.

Hon. Mr. McMULLEN—It covered not merely loan companies but all mortgages that were drawn for a longer period than five years. We had eminent statesmen and constitutional lawyers in parliament at that time. Mr. Orton, of course, was a supporter of Sir John Macdonald, and his Bill would be a popular measure in the country. The farmers would greatly appreciate the benefits they would enjoy under its provisions and possibly that may have been the reason why the constitutional question was not raised by Sir John Macdonald. We had also the Hon. Edward Blake, the Hon. David Mills, Dalton McCarthy, and many eminent lawyers in the House at that time, and I know that the question of jurisdiction was not raised. It may not have been thought of. That Bill was passed and became law, and since then any mortgagor could pay off his mortgage at the end of five years by giving three months' notice of his intention to do so. He had either to give notice or pay three months' interest in order to get a release. For my own part, I think the suggestion that has been made to allow the Bill to go to the Banking and Commerce Committee with a view to looking into the question of jurisdiction, is a prudent course to adopt, and I am quite willing that it should be followed. If it is late in the day to raise the constitutional question it is better to do so now than to go on legislating on matters which are clearly an interference with the rights of the provinces. I am quite willing that the Bill should be carefully considered in committee, and if it is held that we have no jurisdiction, we can so report to the House and that will be the end of it.

Rt. Hon. Sir RICHARD CARTWRIGHT—I myself was present in the House of Commons on the occasion to which my hon. friend has referred. The facts are substantially as he has stated them, that in the province of Ontario more particularly an abuse had grown up and a great many people in various portions, particularly in western Ontario, had been entangled, so to speak, in mortgages of extreme length taken at a very high rate of interest, and there was no doubt whatever that in some parts of the country this had worked a very great hardship indeed. On the ground of public policy, and in view of the fact that that did affect the rate of interest, Mr. Blake and Sir John Macdonald, who, I may remind the House, was himself a solicitor of one of the largest loan companies of Canada at that time, and for the remainder of his life, considered it was pro bono publico that some such law as we have now on the statute-book should be passed to give relief in this class of cases. The question of jurisdiction was tenderly handled, no doubt, but it was not absolutely overlooked, and I think the learned gentleman who dealt with it took the position that it did affect interest, if not directly, at any rate indirectly, sufficiently to give parliament a right to take action in the matter.

Hon. Mr. POWER—It was for the general benefit of Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT—They took the ground that it was for the general benefit of Canada that advantage should not be taken of men's necessities to make then practically bond slaves of loan companies for fifteen or twenty years. I think that ground was taken and I am myself of the opinion that the ground was fairly taken. However, in this particular instance, I quite concur with the suggestion made by my hon. friend beside me, that this is a Bill which cannot very profitably be discussed by us in Committee of the Whole, and that it had better be referred to a special committee such as he names or any other that the House may choose, and there be fought out and the clauses examined. This belongs to a class of Bills which do not receive always the consideration in the House to which their importance entitles them, and there is no doubt much force in what my hon. friend the leader of the opposition has said, the inexpediency of interfering with contracts except for some good cause. I may add, a suggestion has been made to me which I have not yet had time to consider, and as to which I wish to confer with the Department of Justice, to this effect—I simply make the suggestion for the benefit of the House, that cases of hardship have occurred under the present law as it exists perhaps not in all the provinces, but in one or two of the provinces, mortgagees

have taken advantage of their position to summon, I might say, at an hour's notice, the principal money after having received for some considerable time, payments of interest half yearly, quarterly or yearly, as the case may be, and I am inclined to think it would be reasonable to have a provision that when a mortgagee, after the mortgage has expired, consents to receive payments of interest, he should then have to give some reasonable notice—two or three months would be sufficient I think—to the mortgagor before taking legal proceedings against him. However, I simply make the suggestion. I may say, I think the suggestion that the Bill be referred to the Committee on Banking and Commerce, deserves the favourable consideration of the House.

Hon. Mr. LOUGHEED—Might I suggest to my right hon. friend and also to the hon. gentleman who seems to have charge of the Bill, if the alleged abuse, which in the minds of some seems to prevail could not be remedied by simply amending section 10 of chapter 120, by shortly providing for a class of mortgages less than a five year term and allow the section to apply to all mortgages?

Rt. Hon. Sir RICHARD CARTWRIGHT—That might be considered in committee. In my experience, which has been considerable, of dealing with mortgages and the like, there are a great many investors who hate to have their mortgage investments disturbed, and would seek other forms of investment. It was not the desire of the House, I fancy, to compel them to do, if they were liable not to have them reinvested for a term of years. I would hate to insert a provision—although that is a fit subject for consideration—under which, after a man has borrowed money for a term of five years, he might turn round and say: I give you three months' notice, or 'I will pay you three months' interest and pay off the loan.'

Hon. Mr. LOUGHEED—My hon. friend misunderstands me. The law now is, where mortgages are negotiated for a period exceeding five years, that if at the expiration of that term the mortgage is not paid, the borrower may pay the mortgage by giving three months' notice or paying three months' interest. He cannot pay, of course, under any consideration before the 5 years date. What I mean now is that instead of passing this Bill, the law should be, that where a mortgage is entered into no matter whether the principal money is paid after a shorter period than five years, after the expiration of the date fixed for the payment of the principal, then the mortgagor or the borrower should have the right to pay it off on giving three months' notice.

Rt. Hon. Sir RICHARD CARTWRIHGT—We might make it apply to each side—that the mortgagee should have the right to give notice as well as the mortgagor.

Hon. Mr. LOUGHEED—It would be unnecessary for the mortgagee to give notice, for the reason the money is already due and payable.

Rt. Hon. Sir RICHARD CARTWRIGHT—But if he does not call it in after the expiration of the period and goes on receiving interest half yearly or yearly as the case may be, there is a hardship if at an hour's notice he pounces on his mortgagor and demands immediate payment.

Hon. Mr. LOUGHEED—Yes, in the same way as a landlord pounces on a tenant.

Rt. Hon. Sir RICHARD CARTWRIGHT—It shows the desirability of referring this Bill to a committee.

Hon. Mr. POWER—If the hon. gentleman does not think this is a matter to be dealt with by the provincial legislators.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would suggest to the hon. gentleman in charge of the Bill to move to have it referred to a committee.

Hon. Sir G. W. ROSS (Middlesex)—The promoter of this Bill in another place asked me to take charge of it in the Senate. I was unfortunately absent when the Bill came up, and it was taken in charge by another hon. member. However, I assume reasonable responsibility in connection with it, and can see no reason, assuming the legislation in the Revised Statutes is

sound, why we should not follow on the same line and pass this Bill. Under section 10 of chapter 120 of the Revised Statutes, it is provided that if a mortgage exceeds a period of five years, it may be paid off by giving three months' notice, or on payment of three months' interest. It is proposed now to extend that privilege to mortgages that are not fixed in the first instance for a period of five years, and in the case of a shorter period of time, the fine or penalty is one month's notice or one month's interest.

If the principle in the Act is sound in the first case this modification must be sound. It is not reasonable to ask this House to release debtors if there is a quasi violation of a contract. We are not putting the lender of money in a very uncomfortable or bad position when he knows, in the first place, that he is bound in law to accept payment if he receives one month's notice when the mortgage is overdue. He has an opportunity, which is thirty days, to look around for other investments. That is a reasonable time, and it is not a very great hardship. However, it is for the House or the committee to say whether that is important enough to warrant the House in giving the Bill its second reading. The hon. leader of the opposition looks upon this as a violation of contract. Practically, the contract is, in law, dissolved between the parties, except the lender has rights against the borrower. Now, the question is whether this House might not step in and say, as between the parties in the case, where the contract has expired, one month's notice must be given.

Hon. Mr. LOUGHEED—That statement of the case is scarcely correct. The right of the borrower, if there is not a provision in the mortgage to a different effect, is that he may pay off after maturity without any notice. The borrower to-day without giving thirty days' notice, or even two days' notice, can come in at any time any say to the lender, 'here is your principal and interest.' That is the law to-day. But this Bill only deals with the provisions in a mortgage where it says that if the money is not paid on the due date, then the borrower shall not have the right to pay back the money without three or six months' or a month's notice as may be provided in a mortgage; but if a mortgage is silent on that question, the lender can come in and demand payment any day.

Hon. Sir G. W. ROSS (Middlesex)—Mortgages are usually drawn carrying a certain rate of interest until they are paid. In that case, the Bill would provide a remedy. However, that matter can be more fully discussed in committee where the promoter of the Bill can be heard, and where some of those difficulties can be explained. The question of provincial rights is rather intricate. There may be something in favour of the view, as this deals with property and civil rights, that this legislation would come within the jurisdiction of the province. I should like to work a little longer on that before pronouncing an opinion. As I understand, parliament could deal with that by considering a payment of a month's interest as a form of penalty. If there is any way out of the question of provincial jurisdiction, I think that is the way. However, I should like to look into it by studying the debate which took place when the Bill was before the other House. As the hon. gentleman from Mount Forest has said, the Bill received the approbation of the lawyers in the House of Commons in the first instance, and of very high authorities on the subject of provincial rights. Without taking up the time of the House, I should like to have the promoter heard before a committee before any decided action is taken.

Hon. Mr. DANDURAND—Do I understand that we may pass the second reading of this Bill without committing ourselves to the principle of it?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

Hon. Mr. DANDURAND—Otherwise I should express my doubt as to the right of this parliament to pass the Bill, although the promoter is fortified by section 10 of chapter 120 of the Revised Statutes. I cannot accept the argument of my hon. friend from Middlesex, who says our justification for interfering with a contract is that it is at an end. The argument seems to admit that we cannot touch the contract itself,

and if the contract does not come under our jurisdiction, I contend that after the time limit has expired the contract does not thereby expire, but remains in vigour, and the law under which it was created governs that contract. That law is the civil law of the province. I shall, like my hon. friend from Middlesex, try and find reasons why the Bill should pass. Learned counsel in constitutional law in both Houses have passed lightly over the difficulty which I see, and have recognized the right of this parliament to legislate on such matters. I only see in it a civil contract, a borrowing of money by a deed creating a hypothec on a property, and I cannot see in what way this parliament has jurisdiction in the matter.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is understood that the House is not committed to the principle of the Bill, but desires to have it examined in detail.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (31) An Act respecting the Guelph and Goderich Railway Company.—Hon. Mr. McMullen.

Bill (18) An Act respecting the Kootenay and Arrowhead Railway Company.—Hon. Mr. Bostock.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, January 25, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

COMMITTEE ON DEBATES AND REPORTING.

SECOND REPORT PRESENTED.

Hon. Mr. COFFEY presented the second report of the Committee on Reporting the Debates of the Senate, recommending that an additional translator be appointed for the present session, and moved that the report be taken into consideration to-morrow.

Hon. Mr. DANDURAND.

Hon. Mr. DOMVILLE—In regard to this question of the translation of the debates of the Senate, I should like to point out that we have not yet received the revised report of the first day's proceedings of this session. If it is worth printing and translating it is worth placing on the desks of hon. members promptly.

Hon. Mr. COFFEY—I would suggest to the hon. gentleman that it would be better to let this matter stand until the report is taken into consideration.

The motion was agreed to.

VACANCIES IN THE SENATE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How many vacancies in the Senate are there actually?
2. Which are these vacancies?
3. Since what date has each of them existed?
4. When does the government intend to fill them up?

Rt. Hon. Sir RICHARD CARTWRIGHT —There are at present three vacancies in the Senate, as follows:

Province of Prince Edward Island: Hon. Donald Ferguson, died September 4, 1909.

Province of Quebec: Hon. George B. Baker, died February 9, 1910.

Province of Nova Scotia: Hon. James D. McGregor, appointed Lieutenant Governor, October, 1910.

With reference to the other portion of the hon. gentleman's question, I may say that the question of filling these vacancies is at present engaging the earnest, and I might almost say prayerful consideration of members of the Cabinet, more especially concerned in the representation of those provinces.

Hon. Mr. LANDRY—Will the vacancies be filled before the reform of the Senate takes place?

Rt. Hon. Sir RICHARD CARTWRIGHT —I would ask the hon. gentleman to give notice of that question.

ENGLISH RECRUITS FOR CANADIAN ARMY.

INQUIRY.

Hon. Mr. LANDRY rose to draw the attention of the Senate to a certain letter published in the 'Standard of Empire'

newspaper, in the number for 23rd December, 1910, which letter reads as follows :

THE PENALTY OF PATRIOTISM.
To the Editor.

Sir,—The article by Mr. F. D. Bone in your current issue of this week presents the case for the ex-service man who wishes to emigrate, but has not the means to do so, most admirably. I hope that it will be read by some Imperialist, who has the generous heart and the power of the purse, so that the opportunities now offering in our oversea states may be availed of in the interests of those who have done so much to preserve and maintain the empire.

Your readers may be interested to know that in Canada a branch has been established under the presidency of the Governor General, the Right Hon. Earl Grey, with the lieutenant governors of the provinces of Ontario, Manitoba, Alberta and British Columbia as vice-presidents, and committees have been formed in Quebec, Toronto, Winnipeg, Edmonton, Vancouver, Victoria and Vernon. There are openings in Canada at the present moment in the military forces at Halifax and Quebec, and there are a few excellent opportunities for civil employment offered by the local committees.

In Australia, the British Immigration League has undertaken to represent the league and is prepared to find openings for men of the right stamp who are willing to take up work in the country districts as boundary riders, stockmen, cooks, rough carpenters, handy men and agricultural labourers. The New Zealand government are also favourably considering the matter of granting facilities to ex-service men to settle in that country.

The chief object of the league is to advance money to suitable men of good character who are without means. In every such case, however, applicants for assistance will be expected to find some portion of their fares, either from their regimental or other associations, or from their friends, or to furnish a guarantee for the purpose. They will also be required to repay the amount advanced to them under an order upon the government authorities or the local committees in the various oversea states.

Already a considerable amount of useful work has been done on behalf of military pensioners and ex-service men without pensions, who have been able to pay their own fares, many of whom have been found openings in our oversea states, where they are now happily settled. A number of men have also been sent to the Royal Canadian Garrison Artillery, Quebec, by arrangement with the Canadian military authorities and the War Office.

At the present moment openings are being found by our Canadian committees for liftmen, &c., in Vancouver and other parts of the Dominion, and a number of men recommended by the National Association for the Employment of Reserve and Discharged Soldiers, the Army and Navy Pensioners' and Time-Expired Men's Employment Society, the Veterans' Corps and Employment Bureau and the Corps of Commissionaires are applying for these appointments. The wages offered are from $40 to $50 per month.

Time-expired men who are willing to enter the permanent force in Canada have the opportunity of so doing, and already a number of gunners have been sent to the R.C.G.A., Quebec. Advances out of the small funds which a few friends have subscribed have been made in some cases to the latter, and the amounts so advanced are already being returned, and are being used to help other applicants.

I am glad to say that the man, whose letter Mr. Bone quotes, writes me to say that the Salvation Army are likely to be able to send him and his family to assured employment in Canada. It appears that a firm of cotton spinners are willing to defray two-thirds of the fares of suitable men with families. The balance in this case will be advanced by the army. The writer, while grateful for this promised service, asks if something can be done to help him to find clothes for the children, as 'at present what they are wearing must go on the dust heap.' Should any reader feel moved to render such assistance the league will be glad to act as almoners. I am, &c.—E. T. SCAMMELL, joint hon. secretary, Naval and Military Emigration League.

11 Haymarket, S.W.

I would now inquire of the government :

1. What is the nature of the arrangements entered into between the Canadian military authorities and the War Office in England, which arrangements are mentioned in the letter above cited, and according to which the Royal Canadian Garrison Artillery at Quebec is to receive its recruits from England?

2. How many recruits from England has the Royal Canadian Garrison Artillery at Quebec added to its muster rolls?

3. Apart from the garrison artillery, what is the number of English recruits who, according to the arrangements above mentioned, have been added to the permanent Canadian army?

4. Have arrangements of the same nature been made with the English admiralty for recruiting sailors intended to fill the lists of the new Canadian naval service?

5. Is it because recruiting in the country has really failed that we have thus to ask England for the soldiers of whom we have need?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. No arrangement has been made officially with the War Office by which recruits for the Canadian permanent force can be obtained in England. The officer administering the Royal Canadian Artillery, with the cognizance of the department, is in communication with the honorary secretary of the Naval and Military League with a view to obtaining suitable men for service with that unit. The War Office have sanctioned a limited number of men being medically examined

by army medical officers prior to sailing for Canada.

2. Nineteen.

3. None.

4. The Department of the Naval Service has made no arrangements with the Admiralty for recruiting sailors in England.

5. It is almost impossible, owing to the high rate of wages at present paid to men in civil employment, to obtain in Canada recruits possessing the necessary technical qualifications for duty in the artillery branch of the service.

LETTER TO SUPERINTENDENT OF IMMIGRATION.

MOTION.

Hon. Mr. LANDRY moved :

That an order of this House do issue for the production of a letter dated 1st June, 1910, written by Mr. L. Stein, of Quebec, addressed to Mr. W. D. Scott, superintendent of immigration.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

THE DERY RESTAURANT AT QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a complaint, signed by a large number of persons employed at the immigration office and immigration buildings at Quebec, and addressed to the agent of the department at that place, against Mr. Jacques Dery, the restaurant keeper, and also of the reply of the latter.

The motion was agreed to.

PAYMENTS BY DEPARTMENTS TO QUEBEC NEWSPAPERS.

Hon. Mr. LANDRY moved:

That an order of the House do issue for the production of a statement showing, year by year, the sums of money paid the newspaper 'La Vigie,' of Quebec, by each of the different departments of the government of this country from the founding of that newspaper up to this date.

The motion was agreed to.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a statement showing, year by year, from the 1st July, 1896, up to this date, the sums of money paid to the newspaper, 'Le Soleil,' by each of the different departments of the government of this country.

The motion was agreed to.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a statement showing, year by year, from the 1st July, 1896, up to this date, the sums of money paid to the newspaper, the 'Daily Telegraph,' of Quebec, by each of the different departments of the government of this country.

Hon. Mr. DAVID—Would the hon. gentleman consent to add something to these motions?

Hon. Mr. LANDRY—That depends.

Hon. Mr. DAVID—Would he include the amounts paid to Conservative newspapers in Quebec while the Conservatives were in power?

Hon. Mr. LANDRY—That would be undertaking work which the hon. gentleman ought to perform himself. I think I am doing enough when I am attending to my own work without undertaking to do the work of others.

The motion was agreed to.

THE WHARF AT CHICOUTIMI.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

Has the government purchased a portion of the beach, or any other land, in the town of Chicoutimi, for the purpose of erecting or extending a wharf? If so, from whom and what price has been paid for the same?

Rt. Hon. Sir RICHARD CARTWRIGHT —In June, 1908, a wharf including water lot was purchased from Côté, Boivin & Co., for $3,000. A water lot 150 by 200 feet, was expropriated from the provincial government; no expense incurred other than legal fees.

THE CENSUS IN CHICOUTIMI.

INQUIRY.

Hon. Mr. CHOQUETTE inquired:

1. Has the government appointed one Mr. Delisle, commissioner for taking the census for the county of Chicoutimi, or in any other capacity with regard to the taking of the census in that county?

2. If so, what is the calling or profession of this Mr. Delisle?

3. Upon whose recommendation was he appointed?

4. Has the government received, by letters, or by way of the newspapers, and particularly by way of 'La Vigie,' of Quebec, a ministerial newspaper, protests on the subject of the appointment of this Mr. Delisle?

5. If so, what was the reply of the government to these protests?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies furnished by the department are as follow:

1. Mr. Gustave Delisle has been selected for the position, but has not yet been appointed.

2. A printer by trade.

3. It is not customary to give such information.

4. The Department of Agriculture has received no protests against this appointment.

5. Answered by No. 4.

FISHERIES PROTECTION ON THE ST. LAWRENCE.

INQUIRY.

Hon. Mr. LEGRIS inquired:

1. What is the number of ships owned by the government for the fisheries protection service?

2. The name and tonnage of each of these ships?

3. How much did they cost during the year 1910?

4. What is the number of ships owned by the government for the protection of the St. Lawrence maritime route?

5. The name and tonnage of each of these ships?

6. How much did they cost during the year 1910?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies furnished by the Department of Naval Service are as follow:

1. Twelve.

2.

	Gross Tonnage.
'Canada'	411
'Constance'	185
'Curlew'	158
'Kestrel'	311
'Petrel'	192
'Vigilant'	396
'Princess'	542
'Hudson'	34
'Falcon'	71
'Restless'	76
'Alcedo'	70
'Georgia'	34

3.

'Canada'	$45,756 74
'Constance'	17,437 26
'Curlew'	16,627 30
'Falcon'	13,053 85
'Georgia'	7,363 21
'Kestrel'	39,154 00
'Petrel'	16,710 31
'Princess'	33,594 00
'Restless'	10,991 60
'Vigilant'	24,693 26
'Hudson'	5,758 85
'Alcedo'	8,119 76
	$239,260 14

4. There are two ships in the Naval Service of Canada.

5. 'Niobe,' 11,000 tons; 'Rainbow,' 3,600 tons.

6. 'Niobe,' $61,353.74; 'Rainbow,' $51,-168.45.

Hon. Mr. LANDRY—Is the 'Rainbow' to be employed on the St. Lawrence?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the 'Rainbow' will be ultimately employed on the Pacific. It may have been used on the St. Lawrence for the time being.

Hon. Mr. LANDRY—I think the 'Rainbow' is on the Pacific coast.

Rt. Hon. Sir RICHARD CARTWRIGHT —I give the answer as the department has furnished it. The department may have overlooked the wording of the inquiry.

Hon. Mr. LANDRY—I suppose the question may be allowed to stand.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my hon. friend wishes it.

The inquiry was allowed to stand.

THE ACCOUNTS AND VOUCHERS OF THE SENATE.

The SPEAKER presented to the House a resolution of the House of Commons asking the Senate to furnish the accounts and vouchers for the past year for use before the Committee on Public Accounts.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will move that the resolution be referred to the Committee on Internal Economy.

Hon. Mr. POWER—It seems to me that the document should lie on the table, for the present at any rate, so as to have time to consider it.

Rt. Hon. Sir RICHARD CARTWRIGHT—If my hon. friend wishes it, the resolution can lie on the table say until Tuesday next.

The message was allowed to lie on the table for consideration.

PETITIONS RE THE NAVAL BILL.

Hon. Mr. LANDRY—Before the orders of the day are called, I would remind the government that early in the session I moved for a return of all the petitions presented to parliament re the Naval Bill of last year. I have had a return of the petitions presented in the Senate, but there has been no return yet of the petitions presented in the House of Commons. Before asking for the vouchers and accounts of the Senate, the House of Commons should supply the information called for by an order of this House.

Hon. Mr. DANDURAND—There is a procedure to be followed in order to get documents from the House of Commons.

Hon. Mr. LANDRY—I shall inquire into it, and if the motion has not been made, or if it must be made, I shall have a motion drafted in proper form.

JUDGES' ACT AMENDMENT BILL.

RULED OUT OF ORDER.

The order of the day being called:

Second reading (Bill D) an Act to amend the Judges' Act.—Hon. Mr. Choquette.

Hon. Mr. POWER—I wish to raise a question of order with respect to this Bill. As I understand it, this is a Bill which cannot originate in the Senate. It is purely a money Bill. There was a case some years ago, in which, I think, the Senate decided to override the decision given by the then Speaker. The House proposed to strike out a clause in a Bill which was something like this, and contended that they had the right to strike the clause out; but in this case the Bill originates in this House, and the whole Bill deals with the question of money, and if it goes into operation—

Hon. Mr. CHOQUETTE—The hon. gentleman has no right to speak until something is before the House. The clerk has called my name, and the hon. gentleman raises a point of order.

Hon. Mr. CLORAN—There is nothing before the Chair.

Hon. Mr. POWER—The Speaker has called on the hon. gentleman.

The SPEAKER—Yes.

Hon. Mr. POWER—This matter is before the Chair.

Hon. Mr. CHOQUETTE—I beg to move the second reading of this Bill, seconded by the Hon. Mr. Cloran.

Hon. Mr. POWER—Will the Speaker consider that my question has been raised now, instead of before the hon. gentleman made this motion?

Rt. Hon. Sir RICHARD CARTWRIGHT—It might be as well, perhaps, to prevent unnecessary discussion to say that my attention was called to my hon. friend's Bill, and I thought it of importance to consult the Department of Justice. I will give the hon. gentleman the opinion of Sir Allen Aylesworth on the subject. He says he has examined the Bill and it seems to him to be one for the appropriation of part of the public revenue, and, therefore, falls within sections 53 and 54 of the British North America Act. He thinks such a measure is one for which the government must take responsibility, and must originate in the House of Commons. Of course, it is free for the hon. gentleman to proceed if he likes; but I think, in view of the opinion so expressly stated by the Department of Justice, that the Senate would hardly care to go further in the matter.

Hon. Mr. CHOQUETTE—I had the honour this morning to discuss this question with the Minister of Justice, and I might say that the hon. minister did not put the thing so painly as it is put in his report. Naturally, he had not then fully con-

sidered the matter. I told him frankly, and I may now say frankly that I had doubts myself about it. However, on looking over the authorities, and especially the debates which took place in 1903, on a Bill of the same kind, and the opinions then given by the most eminent members of this House, especially the leader of the government at the time, and the most prominent legal members of this House, I came to the conclusion that my doubts were not very well founded, and I had better proceed with my Bill. The least I can say is that it is a very mixed question. I am not going to discuss the point now. I thought somebody would raise the point of order, but I would prefer to hear the discussion on that point before I expressed my own views. But if the point of order is raised now, and it is not the intention to discuss the point of order, I might just just refer this House and the hon. Speaker to this debate of 1903, to the authorities which were cited, brought before the House by the leaders of the government, the hon. Secretary of State, by the hon. gentleman from De Salabery, the hon. gentleman from De Lorimier, and even the hon. gentleman who has now raised the point of order. They all said and voted that it was not a money Bill, and I contend that the two Bills are really the same. I may say that, if a money Bill this Senate would have no right to deal with it. We have no more right to say to the government: 'You will not spend so much money,' than to say: 'You will spend so much money.' The Bill which was then debated was, I think, sent back to the Commons as amended. The hon. leader of the Senate was then in the government—and they accepted the decision that it was not a money Bill. Then the House voted on the point. I am not going to recite what was said then; I think this Bill is very important, though a very simple Bill. I might explain what it is, in order to show that it is not a money Bill, there is a great doubt at least if it is one, and I will repeat what was said in 1903, that it is not for this House to limit or restrain its own jurisdiction. It would be better for us to pass the Bill and send it down to the other House, and it will be for the government to take upon themselves to pass a resolution, if it is a money Bill, and proceed with it. The Bill consists practically of three words. A few years ago a Bill was passed entitled 'An Act to Amend the Judges' Act.' I took the very same Bill and added the three following words, 'Any Lieutenant Governor,' to section 21, before the words 'Chief Commissioner.' We all remember that Justice Mabee was one of the justices of the High Court of Justice of Ontario, and the government wished to appoint him as Chief Commissioner of the Board of Railway Commissioners, and passed a Bill to provide that when a judge has been 12 years on the bench, and accepts a position on the Railway Commission, his time as judge will be counted, and after he serves a certain time on the commission he will be entitled to his pension. The reason given was that the Chief Commissioner was practically a judge. Some of the other commissioners are not even lawyers. The first magistrate of a province is the Lieutenant Governor. He ought to study and learn the law, because he is called upon to decide not only questions of jurisprudence, but questions of jurisdiction and constitution and he must know the law. If there is a man who is fit for this position—though I do not say that only judges and lawyers may be Lieutenant Governors, a land surveyor may be a more or less good Lieutenant Governor—the men most fitted to be Lieutenant Governors are judges. Justice Mabee was the best man to be Chief Commissioner, but he had been twelve years on the bench. I contend that if a man has been twelve years on the bench, and the government says he is the man most fit to be Lieutenant Governor, for this special reason, it is only fair that he shall not lose his pension because, according to the Judges Act, he must be fifteen years on the bench. If he is twelve years on the bench and three years commissioner or Lieutenant Governor he will receive his pension. I take the Act passed by this House to cover the case of Judge Mabee and add the three words: 'Any Lieutenant Governor' and it is the same Bill. I do not think it is a money Bill. It is just a recommendation to the government to do something. It is not

appropriating any money. We are not asking for any pension. We do not say that a Lieutenant Governor has a right to have so much when his term of office has expired; but we say the government may give him his pension—that when the time shall come to pay that pension, to apply the law and fix the sum he is entitled to. I submit we have no right to fix it here, but the government, by a subsequent Bill, after a resolution of the House may fix the pension and it will then be a money Bill—at least a complete money Bill. As far as my Bill goes it is merely a recommendation; it is not appropriating any money, and does not come under any of the three examples of money Bill which have been mentioned in 1903. I would like to answer any arguments which may be presented to the House against this measure.

Rt. Hon. Sir RICHARD CARTWRIGHT—If I may be permitted, I should like to point out to the hon. gentleman that the Lieutenant Governor is distinctly a political appointment, and he holds his office subject to being dismissed by the government of the day, if they see fit, for cause, and sometimes for no cause, as took place recently in a case known to us all.

Hon. Mr. CHOQUETTE—If he is removed before 15 years, he will not receive his pension?

Rt. Hon. Sir RICHARD CARTWRIGHT—He will be at the mercy of the government of the day. I point out that the original resolution of 1905, and the amendment of 1908 were both introduced by resolution in the House of Commons, and the pensions provided are payable out of the consolidated revenue fund.

Hon. Mr. CHOQUETTE—Sometimes we go further than we intended to do. They could have presented a Bill in the other House without resolution. There is no harm in that.

Hon. Mr. McMULLEN—In view of the attitude of the hon. gentleman regarding this Bill, and in face of the statement of the Minister of Justice regarding it, he appears to still persist in pressing the consideration of the Bill on the House and will not withdraw it. I move that it be not now read a second time, but that it be read a second time this day six months.

Hon. Mr. CLORAN—I do not think that is fair.

Hon. Mr. LANDRY—The point of order has been raised, and that must be settled before any other motion is made.

Hon. Mr. CLORAN—I really think the proposition made by the hon. senator from Wellington is not fair to this House. The promoter of this Bill has given a very fair explanation of the nature of the measure and of its object and has fully, as far as I can see, justified its introduction into this House. He has not quoted ancient proceedings. He has quoted recent proceedings. The vast majority of this House have voted on one or two occasions, to my knowledge, in favour of the very same measure, and a proposition for a six months' hoist coming from, probably, one of the gentlemen who voted for an identical measure is not proper. As far as the constitutional question is concerned, we have the statement from the right hon. leader of this House that the Minister of Justice was consulted, but I fail to see any answer given by the Minister of Justice that is a decisive one. He does not state distinctly that it is unconstitutional on our part to pass this Bill. We have the statement of the promoter of the Bill, who says he has also interviewed the Minister of Justice, and that the information given to him by the Minister of Justice is not altogether in line with what has been put before the honourable House, not so strong.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may point out to my hon. friend that I read the formal opinion of the Minister of Justice, and if he likes I shall read it again. It concludes:

> I think such a measure is one for which the government must take the responsibility and it must originate in the House of Commons.

I hardly think you could ask for a more specific statement.

Hon. Mr. CLORAN—I could understand the value of the declaration if he had said straightforwardly 'It is' instead of 'I think it is,' it would be different. Legal

propositions must be weighed by the terms in which they are put. The hon. promoter of this Bill has had an interview with the Minister of Justice, and he states to this House that the statement to him was not so strong as the intimation given to the representative of the government here. His statement is not decisive, it is a thought. He is not prepared to say decisively that it is against our rule. Another contention raised by the promoter of the Bill is that it is not our duty to restrict our rights. I find that in regard to public measures, and any measures coming before this House, that our usefulness is gone as soon as any member rises and says 'There is an expenditure of money involved in this Bill.' There is scarcely a Bill before us which does not involve expenditure of money directly or indirectly. I am not prepared at present to go into the merits of the Bill, but I think it is not fair to the promoter of it to have his Bill set aside so abruptly, and by a motion to give it the six months' hoist, especially in view of former decisions of this House.

The SPEAKER—If no other member desires to express an opinion with reference to the point of order I have no hesitation about the matter, and do not need to delay or ask for further consideration of it. I will say this, however, I hope that I myself, and the House, will be guided by our own opinion in regard to question of order. It is inconvenient to have advice offered outside of this Chamber on some questions. The government are always entitled to get advice from the law officers of the Crown, but when questions arise here to be dealt with they should be dealt with according to the practice of this House and the opinion of our own officers. Ruling on the point of order, I have considered the matter, and examined the Bill, and I know also the position taken by the promoter of the Bill, and have come to the conclusion that the Bill is not in order, that it is a money Bill and as such must emanate from the House of Commons, founded upon resolution of the House of Commons. I, therefore, rule that the point of order is well taken.

Hon. Mr. CHOQUETTE—I am very sorry; I would have preferred to take the opinion of the House, but I will let the matter stand, particularly as I had some doubts myself about the question.

SECOND READING.

Bill (No. 33) an Act respecting the South Ontario Pacific Railway Company.—Hon. Mr. McMullen.

INSPECTION AND SALE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE OF THE WHOLE.

The House resolved itself into a Committee of the Whole on Bill (No. 9) an Act to amend the Inspection and Sale Act.

(In the Committee.)

Hon. Mr. THOMPSON—This Bill was largely discussed at the second reading, and there seemed to be some ambiguity as to the intention of the legislation. As presented to the House, the Bill read:

When potatoes are sold or offered for sale by the barrel, the barrel shall contain 160 pounds.

With the consent of those who were largely the movers in this matter in the other House, as well as on the suggestion of some members of the Senate, I ask that this clause be changed to read:

When potatoes are sold or offered for sale by the barrel, the barrel shall mean 160 pounds of potatoes.

Hon. Mr. WATSON—Perhaps they could not get 160 pounds of potatoes into a barrel.

Hon. Mr. THOMPSON—That might be the case. As the clause reads in the Bill, it is supposed that it would mean that the barrel, with the potatoes it contains, shall weigh 160 pounds, when the intention is that the contents of the barrel shall weigh 160 pounds. The amendment will clear up the ambiguity.

Hon. Mr. LOUGHEED—The Bill proposes practically to amend section 338, which applies to the province of Quebec.

Hon. Mr. THOMPSON—This is to be added as section 338-A.

Hon. Mr. LOUGHEED—But it will create an ambiguity as to whether its operation will not be limited to Quebec. I think it should be made a separate section.

Rt. Hon. Sir RICHARD CARTWRIGHT —Very likely the hon. gentleman is right; but as a matter of fact, the barrel is nowhere defined. Bags are defined in the province of Quebec, but no reference is made to barrels.

Hon. Mr. LOUGHEED—I am afraid it will be interpreted as applying only to the province of Quebec.

Rt. Hon. Sir RICHARD CARTWRIGHT —The desire of the promoters is simply to provide that when the word barrel is used in any agreement, the weight shall be understood.

Hon. Mr. LOUGHEED—It would be better to amend the Inspection Act without any reference to the section.

Hon. Mr. POWER—Section 338 mentions the province of Quebec; but there is no heading, which limits the next section to the province of Quebec, and this will be an independent section, 338-A, so that I do no think the Bill is open to the objection which the hon. gentleman has taken. On the other hand, as I understand the hon. member who has charge of the Bill, he proposes to say that the barrel shall mean 160 pounds of potatoes. The barrel does not mean potatoes.

Hon. Mr. THOMPSON—The first part of the clause reads 'When potatoes are sold or offered for sale by the barrel;' that is the element that enters into the transaction, and my object is to explain that 'barrel' means 160 pound of potatoes.

Hon. Mr. POWER—I understand the reason for making this change is that in some parts of the country it is the practice to sell potatoes in bulk at so much per barrel. There are really no barrels at all, and the object is to provide in a case of that sort that a barrel shall be deemed to contain 160 pounds. I do not think it is quite accurate to say that a barrel shall mean 160 pounds, because the barrel is what contains the potatoes. It would be better to say the barrel shall be deemed to contain 160 pounds.

Hon. Mr. COMEAU—Why not put it the other way and say 160 pounds of potatoes shall be deemed to be a barrel?

Mr. LOUGHEED

Hon. Mr. THOMPSON—What I should like to have fixed by this legislation is not what the barrel is deemed to be, but the absolute weight. The object of this legislation, as has been suggested by the hon. member from Halifax, is to meet the condition of selling potatoes in bulk, in carload lots under a barrel transaction. To arrive at what a party purchasing in that form shall have to pay for the potatoes, it is necessary to fix a standard weight for a barrel. We have a standard weight for a bushel, and a standard weight for a bag, and now we want to establish a standard weight for a quantity when sold by the barrel, and the term used here seems to convey the exact weight which is to be accepted as the weight of a barrel of potatoes.

Hon. Mr. YOUNG—In other words, you are giving a definition of a barrel as applied to potatoes, and that is 160 pounds.

Hon. Mr. CLORAN—Supposing I were to buy 6,000 pounds of potatoes, and instead of the vendor delivering them in bags he delivers them in barrels; under this legislation each barrel would be deemed to contain 160 pounds, when as a physical fact it would not contain more than 150 pounds. The ordinary flour barrel, which is the barrel used and meant, is a two and a half bushel barrel, and if I buy potatoes by the barrel I will be defrauded of ten pounds on every barrel of potatoes delivered, because the law will give the vendor the right to say that each barrel is deemed to be 160 pounds. Now it takes a barrel all its time to contain two and a half bushels of wheat, and wheat is measured on the dead level while potatoes and apples are heaped in the measure and overflow according to the generosity of the man who is selling them. You cannot possibly put 2½ bushels of potatoes into a barrel, which will contain 2½ bushels of grain. An hon. member near me says a flour barrel will contain three and a half bushels of grain ; why it will take a barrel and two-thirds to contain three and a half bushels. I am in perfect sympathy with the object of the hon. member who is in charge of the Bill. I understand the

conditions in the maritime provinces, but I fail to see that his Bill meets the object he has in view. All I want is to have our laws clear, not leaving them to the interpretation of courts or jug-handling by lawyers.

Hon. Mr. BEIQUE—I think the Bill is quite proper for two reasons. First because it is well known that there are different sizes of barrels, and this will define what quantity a purchaser buying by the barrel is entitled to receive. Then I think it is also appropriate and in keeping with the Inspection Act to define the quantity when sold by the barrel. I am quite in accord with the amendments suggested by the hon. member from Fredericton, that the barrel shall mean 160 pounds when potatoes are sold by the barrel. The purchaser buying potatoes by the barrel will be entitled in all cases, irrespective of the quantity contained in the barrels, to 160 pounds of potatoes per barrel. Whatever quantity the barrel may contain, the purchaser is entitled to 160 pounds.

Hon. Mr. ROSS (Halifax)—My hon. friend from Victoria (Hon. Mr. Cloran), is very much mistaken as to the quantity of wheat a barrel will contain. A barrel will hold three and a half bushels of wheat. You take that grain to the mill and you find you have a barrel of flour out of what it contains. The flour barrel is a standard with us, and will contain 2½ bushels of flour. In weighing potatoes you are supposed to heap the measure with as many potatoes as it will hold, and you cannot put more than 2½ bushels in a barrel. It is in flour barrels that potatoes are exported to Cuba and the West Indies.

Hon. Mr. BAIRD—As the Bill is amended, I can see no difficulty in passing it. In the maritime provinces we understand why this legislation is needed. Some years ago, when potatoes were shipped to the United States exclusively, 160 pounds was taken to be a barrel. Afterwards, in shipping produce to Quebec and Ontario, they took it at 180 pounds, as a barrel was supposed to hold two bags. Now potatoes are being largely shipped to Cuba and the United States, mostly in bulk. They ship in barrels from St. John, and it is found more convenient to have the barrel contain 160 pounds, as the markets of Cuba and the United States call for that weight to the barrel. For my own part, I would rather see all vegetables sold by the pound. It would simplify matters; but as the maritime provinces request this legislation, I can see no objection to letting the Bill go through, especially as the barrels used in that part of Canada are all flour barrels, and as near as you can get at the weight, a flour barrel will hold 160 pounds of potatoes. I have weighed them a great many times. The smaller potatoes pack closer together, and will go a little over weight, but the larger potatoes weigh about 160 pounds to the barrel.

Hon. Mr. COSTIGAN—My hon. friend from Victoria division (Hon. Mr. Cloran) says if he buys 6,000 pounds of potatoes and they are delivered in barrels he will lose 10 pounds per barrel under this Bill. But the Bill provides against that. It provides that a barrel shall be 160 pounds. In Ontario and Quebec, potatoes are sold by the bag, but in the maritime provinces by the barrel, and the object of the Bill is to define what a barrel shall mean. I should be very sorry to interfere with the laws relating to other provinces, but no one has pointed out that this would interfere with any one, except one hon. member, who says that if he bought by the barrel he would lose 10 pounds to every barrel. If you buy by the bag, this Bill does not prejudice the transaction; it simply gives the maritime provinces a standard weight for potatoes when sold by the barrel.

Hon. Mr. CLORAN—If the hon. gentleman wants to limit the effect of this Bill to the maritime provinces I have no objection whatever, but this law is going to be general.

Rt. Hon. Sir RICHARD CARTWRIGHT—Has my hon. friend any amendment to offer which he thinks would make the meaning plainer?

Hon. Mr. CLORAN—I am told that this is only for the benefit of Nova Scotia and New Brunswick. If the Bill will say so I shall be satisfied.

Rt. Hon. Sir RICHARD CARTWRIGHT —But it is desirable to fix a standard weight for potatoes when they are sold by the barrel.

Hon. Mr. CLORAN—This Bill would make it applicable to the whole Dominion. Under it a dealer can insist that a barrel contains 160 pounds of potatoes when I know that a barrel will not hold more than 150 pounds.

Rt. Hon. Sir RICHARD CARTWRIGHT —What phrase would the hon. gentleman suggest to meet the difficulty?

Hon. Mr. CLORAN—I would put in the Bill what nature and physics exact, that is, that a barrel means 150 pounds, and I would not exact from a barrel a larger capacity than it possesses. When hon. gentlemen tell me that you put 3½ bushels of any product into what will contain only 2½ bushels, it is like putting a quart into a pint.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have known liquor dealers who have done that.

Hon. Mr. CLORAN—The assertion has been made here that 3½ bushels of solid material can get into a 2½ bushel receptacle. How it can be done is beyond my comprehension. All I ask is that the law shall not force a barrel to do more than it can do. I have no special objection to the Bill, only I do not like to have my name put to laws that are in contradiction with facts.

The clause was amended and adopted.

Rt. Hon. Sir RICHARD CARTWRIGHT —Possibly we may think it expedient to make the third clause compulsory, instead of the one now existing. I will call the attention of the Department of Justice to the point that has been taken as to the risk of getting a lesser quantity of potatoes.

Hon. Mr. ELLIS from the committee, reported the Bill without amendment.

HOUR OF MEETING ON FRIDAY.

Hon. Mr. YOUNG—It would be very convenient, if the House would meet at half past two on Friday, instead of three o'clock. I move the suspension of rule 24a, and will move that, until otherwise ordered, when the House sits on Friday the hour of meeting shall be two thirty instead of three o'clock.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no objection.

Hon. Mr. POWER—I think the hon. gentleman had better give that as a notice of motion for to-morrow. It is a matter of some consequence.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, January 26, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

ABSENCE OF LIEUTENANT GOVERNOR OF QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the leave of absence granted to the lieutenant governor of the province of Quebec during the first days of November last expired, and since when?
2. Has the lieutenant governor of the province of Quebec applied for additional leave of absence, or is it true that he has handed his resignation to the government, setting forth, in order to have it accepted, the fact that his health and faculties prevent him from performing the duties attached to his position, and from doing honour to the social requirements thereof?
3. Has the government taken any action in the matter? Has it granted an additional leave of absence to the lieutenant governor of the province of Quebec? When and for how long?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes. 10th January, 1911.
2. Yes.
3. Yes. 11th January, 1911. Two months.

IMPROVEMENT OF THE ST. CHARLES RIVER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Quebec Board of Trade recently called the attention of the government on

the inconveniences which the River St. Charles offers to the safety and development of navigation and commerce in that part of the country, and on the advantages which would result from the execution by the Dominion government of certain public works with the object of enabling vessels drawing not less than fifteen feet to go up and down the said river within the limits of the city of Quebec at all times during the season of navigation?

2. Has the said Board of Trade insisted on the fact that it is in the interests of Canada that these works be started and proceeded with as speedily as possible in order to utilize without further delay the natural advantageous and economical means offered by the River St. Charles for navigation and commerce?

3. Has the said Board of Trade, therefore, asked the government to take the steps necessary, according to the report of its engineers, to have all impediments to the navigation of the St. Charles river removed by dredging, locking or otherwise, as may seem proper in the public interest?

4. What has been the reply of the government to this request of the Quebec Board of Trade?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.

2. Yes.

3 Yes.

4. No definite reply, since the matter was then, and is still under consideration.

MONEY PAID TO 'LE CANADA.'

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing year by year, from the 1st July, 1896, up to date the amounts paid to the paper 'Le Canada,' of Montreal, by each of the departments of the government of this country.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

MONEY PAID TO LOUIS LETOURNEAU.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing year by year, since July 1st, 1896, up to date, the amounts paid to Mr. Louis Letourneau, of Quebec, or to the Quebec Preserving Company, by each of the departments of the government of this country.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

SITE OF WORKSHOPS OF THE NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Transcontinental Railway Commission chosen a site, in the neighbourhood of the Quebec bridge, for the workshops of the said railway.

2. What is the area thereof?

3. The cost?

4. Where is it situated?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1 and 4. Principal locomotive and car shops of the Transcontinental railway will be located in the parish of Ste. Foye, on the main line, at a short distance from the approach to the bridge over the St. Lawrence river.

2. It is estimated that the buildings will cover about eight acres of land.

3. The site on which these workshops will be built forms part of the land which had already been bought by the Commissioners for yard purposes, at an average price of about $300 per acre.

FRANCHISES OF THE QUEBEC BRIDGE AND RAILWAY COMPANY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the three railways which the Quebec Bridge and Railway Company had power to construct under section 4 of chapter 177 of 3 Edward VII, been constructed or are they in course of construction?

2. By whom are they constructed?

3. Is it by the government, by the Grand Trunk Pacific Company or by the National Transcontinental Commission?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1, 2 and 3. After the undertaking, assets, property and franchises of the Quebec Bridge & Railway Company had been taken over by the Dominion government under the authority of the Act relating thereto, the line of railway specified in

subsection (a) section 4, Chap. 177 was transferred by it to the Commissioners of the Transcontinental railway to form part of the National Transcontinental railway and to serve as an entrance into the city of Quebec.

As regards the lines specified in subsection (b) and (c) no action has been taken by the government.

OATH OF ALLEGIANCE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. At what exact date have each of the staff officers of the military division which camped at Levis last summer subscribed to our new Sovereign, His Majesty George V, the oath of allegiance prescribed by the Militia Orders No. 177 of the 9th May, 1910?
2. At what exact date have the brigade of staff officers and each of the officers commanding the different units then called into service, subscribed the same oath?

Rt. Hon. Sir RICHARD CARTWRIGHT —In regard to this question, the deputy minister writes me to the effect that he cannot obtain the information because it has been necessary to refer the matter to the officer in command at Quebec, and he asks, therefore, that the question may stand.

Hon. Mr. LANDRY—Stands until Wednesday.

Hon. Sir MACKENZIE BOWELL—Before the motion is postponed, might I ask the right hon. leader of the House whether any steps have been taken for administering the oath of allegiance to Privy Councillors? Hon. gentlemen will remember that when the Queen died all Privy Councillors were summoned to Government House by the then Governor General and requested to retake the oath of allegiance, the same oath that was taken when they became Privy Councillors. I have not heard of any action on the part of the Governor or the government in respect to that question since the death of the late King. Might I ask whether any change has been made?

Rt. Hon. Sir RICHARD CARTWRIGHT —The members of the cabinet were duly sworn, but to the best of my opinion I think the other members of the Privy Council have not yet been sworn. I will call the attention of His Excellency to my hon. friend's remarks.

Hon. Sir MACKENZIE BOWELL—It was to Privy Councillors who are not members of the Cabinet that I referred.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think there has been no change. I will call His Excellency's attention to the matter.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government to the following:

I. On the 2nd April, 1910, the Honourable Mr. Landry, seconded by the Honourable Sir Mackenzie Bowell, proposed: 'That an humble Address be presented His Excellency the Governor General; praying His Excellency to cause to be laid on the table of this House:—

1. Copies of all orders in council or of every order of the Department of Justice and of the Department of Public Works, and of all correspondence exchanged between the government, the Departments of Justice and Public Works, the Bank of Montreal, the firm of Carrier & Lainé, of Lévis, and all the other persons, on the subjects of:—

(a) The acquisition by the government of the property of the firm of Carrier & Lainé, at the time of the sale thereof by the sheriff in 1908;

(b) the subsequent expropriation, for purposes of public utility, of the same property, which had fallen into the hands of the Bank of Montreal;

(c) its definite purchase from the Bank of Montreal by the government;

(d) the appointment of an agent to represent the government at the sale by the sheriff;

(e) the appointment of experts for proceeding with the expropriation of the lands in question.

2. Copies of all reports submitted, directly or indirectly, to the government, or in its possession, by the experts hereintofore mentioned, or by the arbitrators to whom the Bank of Montreeal and the firm of Carrier & Lainé had submitted their differences, or by the various advocates or agents acting in the name and in the interests of the government.

3. Copies of the various contracts entered into between La Banque du Peuple and the People s Bank of Halifax in 1905, between the government and the Bank of Montreal in 1909, between the government and Mr. Ernest Cann, who had become the lessee of the government, for a period of thirty years, of the lands and buildings formerly the property of Carrier and Laine.

4. Copies of all documents whatsoever and of all correspondence relating to the various transactions aforesaid, and also a statement showing all the sums of money paid by the government with respect to such transactions, with the names of the persons

to whom such sums were paid, and the amounts paid to each of them, and for what particular object.

The question of concurrence being put thereon, the same was resolved in the affirmative.

Ordered, that the address be presented to His Excellency the Governor General by such members of this House as are members of the Privy Council.

Extract from the Minutes of Proceedings of the Senate No. 60, Friday, 22nd April, page 848, English edition.

II. On the 1st day of December, this House having not yet received the documents, which had been ordered, the Honourable Mr. Landry gave notice that he would ask: When do the employees concerned intend to obey an order given by the Senate on the 22nd April, 1910, instructing them to lay on the table of the Senate, the documents asked for in the above mentioned motion.

III. This notice of motion had somewhat of an effect, and on the day that the question was asked (January, 1911) to the leader of this House, the latter laid on the table of the Senate, a rather voluminous return containing part of the documents asked for,—(those fyles in the Department of Public Works, at Ottawa),—but, were missing, all the documents (letters, ordinances, contracts, etc.) which were and still are in possession of:—

1. The Department of Justice.
2. The Department of the Secretary of State.
3. The agency of the Department of Public Works at Quebec.
4. The agency of the Department of Justice at Quebec.

And asked:—

Will all the documents, ordered by this House, be immediately laid on the table of the Senate, and will the several departments, who unknowingly or not, have disobeyed or failed to obey this order, be warned of the imperative duty which falls upon them of obeying without delay the orders of this House, if they wish to avoid a more startling denunciation of their methods, and a more efficient remedy to the evils caused by these methods?

I called for a return, which was brought down some time ago by the leader of the House, relating to this matter, but that return consisted only of papers from the Department of Public Works. There are other papers that I want, which should be furnished by the Department of Justice and the Secretary of State's Department, and the agents of those two departments at Quebec. They have papers connected with the Carriere & Lainè affair, which have not been produced, and which I require to complete the return.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will inquire into the matter.

The notice was allowed to stand.

SECOND READINGS.

Bill (E) An Act respecting the Ontario Northern and Timagami Railway Company. —Hon. Mr. McHugh.

Bill (F) An Act to incorporate the Guardian Accident and Guarantee Company.—Hon. Mr. Casgrain.

Bill (19) An Act respecting the Manitoba and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

Bill (21) An Act respecting the Vancouver and Lulu Island Railway Company.—Hon. Mr. Bostock.

The Senate adjourned till 2.30 p.m. tomorrow.

THE SENATE.

FRIDAY, January 27, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

CANADIAN MILITIA TRAINING.

INQUIRY.

Hon. Mr. LANDRY inquired:

Does the government intend to utilize the services of military men who have successfully passed the necessary examinations, by giving them, at the time of the next training of the Canadian militia, the command of camps and districts, or will this duty be entrusted to those who are already in command of a military district, but who will have to be diverted from the fulfilment of their regular duties, by imposing on them the obligation of a different position?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's questions is as follows: In taking command of camps of instruction, officers commanding commands and districts are not diverted from the fulfilment of their regular duties, as such is part of the same.

Hon. Mr. LANDRY—That does not answer the first part of the question, 'Does the government intend to utilize the services of military men, &c.'

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend might repeat the first part of the question if the answer is not sufficient.

The SPEAKER—The second part is answered but the first part will be allowed to stand.

Hon. Mr. LANDRY—Stands until February 7.

The inquiry was allowed to stand.

PAYMENTS BY GOVERNMENT TO MR. GEO. TANGUAY, QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a return showing, year by year, from the 1st July, 1896, to this date, the sums of money paid to Mr. George Tanguay, of Quebec, by each of the different departments of the government of this country.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

PAYMENTS BY GOVERNMENT TO MR. C. E. TASCHEREAU, QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a return showing, year by year, from the 1st July, 1896, to this date, the sums of money paid to Mr. C. E. Taschereau, of Quebec, notary, by each of the different departments of the government of this country.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

PAYMENTS TO GOVERNMENT BY MESSRS. SAMSON & FILION, QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a return showing, year by year, from the 1st July, 1896, to this date, the sums of money paid to Messrs. Samson and Filion, of Quebec, merchants, by each of the different departments of the government of this country.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to the motion.

The motion was agreed to.

FISHERIES PROTECTION SERVICE.

INQUIRY.

Hon. Mr. LEGRIS inquired:

1. What is the number of ships owned by the government for the fisheries protection service?
2. The name and tonnage of each of these ships?
3. How much did they cost during the year 1910?
4. What is the number of ships owned by the government for the protection of the St. Lawrence maritime route?
5. The name and tonnage of each of these ships?
6. How much did they cost during the year 1910?

Rt. Hon. Sir RICHARD CARTWRIGHT —In further explanation of the hon. gentleman's questions, answered yesterday, I have been instructed by the department that it is rather difficult to define what the St. Lawrence maritime route is. Vessels sail from Montreal and Sydney, N.S., for Vancouver and Prince Rupert. If the 'Rainbow' continues to be located on the Pacific coast she would protect that part of their trade route. In any case the 'Niobe' and 'Rainbow' are available for service wherever required, and would both be available in the St. Lawrence river, if it were decided to employ them in that district.

THE SENATORS' GALLERY IN THE HOUSE OF COMMONS.

Hon. Mr. POWER—Before the House adjourns, I wish to direct attention to the fact that the gallery in the House of Commons, which is supposed to be reserved for the use of senators, was, on yesterday, a day on which a great many members of this House wished to avail themselves of the privilege of hearing the debate in the other chamber, occupied almost exclusively by persons who were not members of this House. It seems to me it is the duty of His Honour the Speaker to instruct the official in charge of our gallery not to permit strangers to enter there.

The SPEAKER—Yesterday I took precaution to instruct the messenger in charge of the gallery that a large number of senators would probably want to hear the debate, and that the gallery should be reserved for them. In that respect I discharged my duty. I did observe afterwards that there were none but senators, and ladies introduced by them, in the gallery. I understand that each lady who was there had been specially ad-

mitted at the request of some senator. I do not know whether the hon. gentleman takes exception to the presence of the ladies in the gallery yesterday.

Hon. Mr. CLORAN—The question was raised yesterday whether a senator's wife had equal privilege with a senator, and I said I thought not. I should like to be informed whether that is the case or not?

Hon. Mr. DAVID—Does that mean that senators' wives and daughters and relatives are admitted?

Hon. Sir RICHARD SCOTT—There were two young men occupying very prominent positions there. I wanted to hear the debate myself, but could not get a seat in the senators' gallery, and had to go elsewhere. It is unfortunate that some senators should have so little consideration for their colleagues that they would take male visitors into the gallery on such an occasion. I had to stand through the whole debate with the public in the gallery on the opposite side, while persons who had no right whatever to be in the senators' gallery occupied places there. I spoke to the man in charge and he said he could not help it, that they had been put there by senators.

Hon. Mr. CASGRAIN—Why not issue a card for senators only? If a senator has a friend that wishes to hear a debate, he can go with him to the general gallery.

Hon. Sir RICHARD SCOTT—There is only one way to prevent the abuse, and that is to admit no one except by card issued by a senator, who takes the responsibility. Yesterday it was impossible to fix the responsibility, because the doorkeeper simply said: 'A senator put these men there and I cannot help it. I could not turn them out.' These men had the very bad taste to occupy prominent seats in the gallery while gray-haired senators—I do not speak for myself, but for others—had to stand in the passage.

Hon. Mr. WATSON—This matter was brought up in the Senate a few years ago and positive instructions were given to put a messenger there who would admit only senators, their wives and unmarried daughters to the senators' gallery. For two or three years that rule was strictly adhered to. I noticed the two young men spoken of by the hon. gentleman from Ottawa. They occupied very prominent seats though they were not senators. They were entire strangers to me, but they occupied seats there through the debate, contrary to the instructions given to the doorkeeper. We do not need tickets so long as we have a good doorkeeper who knows the senators. If the Speaker informs the housekeeper to see to it that the messenger in charge of that gallery does not permit anybody to enter except senators, senators' wives and daughters, there will be no difficulty.

Hon. Mr. McSWEENEY—I found the two young men who have been referred to occupying front seats. The messenger spoke to them and they moved back. I do not know how they happened to be there; it may be that they secured their seats before they were noticed.

The SPEAKER—I gave instructions in advance to see that none but senators and their wives were admitted. It is an exceedingly delicate matter for any one in the position of a messenger to insist on enforcing the rule. All he can do is to say what his instructions are, and if after that a senator insists on violating the rule, the messenger cannot very well insist upon anything to the contrary. It must also be borne in mind that, since the time spoken of by the hon. member from Portage la Prairie (Hon. Mr. Watson) the question was raised by a member of the House of Commons, who not only went to the senators' gallery himself, but took two others there, and insisted on the door being opened and his getting in. He said as he was a member of the House of Commons he was entitled to any part of the House. It was their house and no one else's and the messenger said to him that he could go in, if he was a member of the House, but that he would not admit anybody else. There was a complaint made, and it was the subject of a good deal of explanation. It turned out afterwards that the messenger was perfectly correct. He obeyed the instructions of the Senate in the first instance, and when the mem-

ber of the House of Commons asserted his right he admitted him, but refused to allow the two gentlemen who were with him to go in the gallery. On the complaint being investigated, it was found we were quite within our right and the messenger had only insisted on compliance with the rule.

Hon. Mr. CLORAN—The same rule holds good now?

The SPEAKER—I suppose so.

Hon. Mr. WATSON—We should all of us have respect for the rules of the House. Every senator on his honour should see that the rules are not violated, because if a senator asks the messenger to admit some one to the gallery, it is pretty hard for him to refuse. A senator should not ask the messenger to admit any one but himself. I know that after the instructions were given two years ago the messengers were very particular. I remember that a lady, the daughter of a senator, who was in the habit of going to the gallery, was refused admittance. I think our chief messenger was at the door at the time. He said: 'You cannot go in.' She said: 'I have been coming here for years, and I am the daughter of Senator So-and-So.' The messenger replied: 'That makes no difference, you are married now, and you cannot get in.'

BILLS INTRODUCED.

Bill (G) An Act to incorporate the Grain Growers Grain Company, Limited.—Hon. Mr. Davis.

Bill (H) An Act respecting the Quebec and New Brunswick Railway Company.—Hon. Mr. Costigan.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, January 31, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (I) An Act respecting the pollution of navigable waters.—Hon. Mr. Belcourt.)

Bill (J) An Act to incorporate the Canadian Inter-Mountain Railway Company.—(Hon. Mr. De Veber.)

THE QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the government aware that during the last navigation season a serious accident occurred to the caisson on which one of the pillars of the Quebec bridge was to be erected, and prevented the foundation works of the bridge from being proceeded with?
2. What was the nature of the said accident, at least according to the statement of the engineers, and to what cause or to whom is the accident attributed?
3. What was the cost of repairs?
4. Who has paid or who is to pay the cost of said repairs?

Rt. Hon. Sir RICHARD CARTWRIGHT—The reply of the department is as follows:

1. Yes.

2. The caisson filled with water and settled on an uneven bottom at low tide, straining the caisson and opening the seams in the working chamber. As the seams could not be recaulked in the water, all the concrete already in the caisson had to be removed and the caisson placed in drydock for repairs. The accident was due to both pumps giving out at the same time, allowing the water to gain on them. Before they were in working order again the caisson had settled on bottom.

3. No figures have been obtained from the contractor, but from force accounts kept by our engineers the cost will be approximately $75,000.

4. The contractor.

IMMIGRANT HOSPITAL AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is Dr. J. D. Pagé the medical superintendent of the immigrant hospital at Quebec?
2. Has he made in that capacity a report to the department on the manner in which the hospital has been kept during the season of 1910?
3. According to this report, how many patients were received at the hospital during the season of 1910?
4. Of this number:—
   (a) How many were cured?
   (b) How many died?
   (c) How many were sent away from this country?

(d) How many escaped from the hospital?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the questions are as follow:

1. Yes.

2. Yes.

3. 703.

4. (a) 443, (b) 8, (c) 252, (d) none.

THE CRUISE OF THE 'ARCTIC.'

INQUIRY.

Hon. Mr. LANDRY inquired:

1. When did the government send the first expedition to the Arctic regions?
2. What was the name of the ship and who commanded her?
3. Of how many persons was the crew composed?
4. Was there a physician on board, and who was he?
5. If the government has not been afraid of establishing a precedent by appointing a physician to look after the health of the members of the crew and to attend to the physical illness of those who formed part of an expedition which was to last twelve months, why has it, by refusing the application of a poor missionary, voluntarily deprived of spiritual assistance those whom a probable absence of two years will keep far away from civilization and from the facilities it offers to the practice of religious duties?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follow:

1. The first expedition north of the Arctic circle left Quebec on the 28th July, 1906.

2. The 'Arctic.' Captain J. Elzear Bernier was commander.

3. The ship's company numbered forty-one persons in all.

4. Yes. Joseph R. Pepins, M.D.

5. The British admiralty established the practice of sending physicians with Arctic expeditions, and the Canadian government followed the precedent.

It is hoped that in that cold latitude the men's passions will be under better restraint than in more southern climates.

POWERS OF THE COMMANDER IN CHIEF OF THE CANADIAN MILITIA.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Commander in Chief of the Canadian Militia vested with unlimited power, or is the said power controlled by the laws of the country or by the King's Regulations and Orders?

2. What is the clause of the militia law or the special section of the King's Regulations and Orders which may be invoked by a district commandant to arbitrarily compel an officer regularly appointed to a position for a fixed period to leave his post before the expiration of his term of office, without any previous notice, nor offer to resign without even consulting his immediate superiors on the opportuneness or necessity of such resignation, and even contrary to such a well known, though unsolicited, opinion?

3. Can a district commandant compel or recommend the resignation of a regularly appointed officer, by arbitrarily invoking the welfare of the country, or the interests of the militia without specifying how the welfare of the country or the interests of the militia may be promoted by this exceptional recourse exercised against such an officer?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are:

1. The power of the Commander in Chief of the Canadian militia is controlled by the laws of the country and by such regulations as are made by the Governor in Council under the authority of the Militia Act.

2. There is not any clause of the Militia Act or of the King's Regulations and Orders which authorizes a district officer commanding to compel an officer to vacate his appointment.

3. A district officer commanding cannot compel, but he may recommend, the retirement of an officer if he considers such retirement to be in the interests of the service.

PAYMENTS TO MARTINEAU COMPANY.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing, year by year, from July 1, 1896, up to date, the amounts paid to the Martineau Company by the several departments of the country.

The motion was agreed to.

THE PARLIAMENTARY LIBRARY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government for the last year or two examined the deplorable condition of the Parliamentary Library?
2. Is it aware that continual complaints are arising from everywhere, and that everybody is asking that such an intolerable state of things be remedied?

3. Has it called for plans in view of the extension of the library or of the construction of an additional library?

4. Have any plans of improvement, extension or construction been prepared and submitted to the government?

5. What decision has the latter arrived at?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Yes.

2. Yes.

3, 4 and 5. Several suggested improvements under consideration.

BRANCH LINES OF THE NATIONAL TRANSCONTINENTAL RAILWAY AND GRAND TRUNK PACIFIC.

INQUIRY.

Hon. Mr. LANDRY rose to inquire:

1. What are, east of Winnipeg, as far as Moncton, the different branch lines which the government, the Grand Trunk Pacific or the National Transcontinental Commission may construct from a fixed point to connect with the main line of the National Transcontinental?

2. What is the length of each of these branch lines?

3. What are the branch lines actually constructed?

4. What are the branch lines in course of construction, and what is the length already completed?

5. What are the branch lines authorized by law on which no work has been executed outside exploration or location operations?

6. Under what Act or section is the right to construct these branch lines claimed?

7. Are the three railways which the Quebec Bridge and Railway Company had the power to construct under section 4 of chapter 177, 3 Edward VII, considered or may they be considered as branch lines of the National Transcontinental?

8. Under what Act?

Rt. Hon. Sir RICHARD CARTWRIGHT —I applied to the Department of Railways, and they say that the information would be too voluminous to give it in the form of a reply to a question; but if the hon. gentleman will have the kindness to move for a return there will be no objection whatever to granting it.

Hon. Mr. LANDRY—I should like to call the attention of the right hon. gentleman to the fact that every time we ask for information from the Department of Railways they say they cannot give it, that we must call for a return, and I suppose that return will be brought down in two or three years.

Hon. Mr. LANDRY.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think that these returns will be brought down at a reasonable time, and I will endeavour to hasten them for the hon. gentleman.

Hon. Mr. LANDRY—How could it be answered by a return? It cannot be answered by a return. I have asked 'what are east of Winnipeg as far as Moncton the different branch lines, &c.' They must name them, and they can name them by an answer to an inquiry. The names would be the same, and it does not require a volume of documents. Then I ask what is the length. No volume of documents will be required for that. What are the branch lines constructed? There is nothing in that to require a long, and voluminous document. Then I ask, 'Are the three railways which the Quebec Bridge and Railway Company had power to construct considered to be branch lines of the National Transcontinental railway? That can be answered yes or no. Then, under what Act? They must name the Act. Why is it necessary to bring down a return? I shall leave my notice as it is, the attention of the right hon leader of the government having been called to the peculiar position taken by the department, of always asking us to move for returns for which they can as easily give answers, just for the purpose of delay. I think my hon. friend will be able to extort an answer from them and lay it before the House.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no objection, if the hon. gentleman wishes, to call attention to his observations, and ascertain if they can procure an answer. It strikes me that a portion of this inquiry might be answered easily enough, but a portion of it may require more returns than he anticipates.

Hon. Mr. LANDRY—To put my hon. friend at ease, I will add this remark: This question was put previously, but was so framed that I asked it with regard to the National Transcontinental railway only, and I received as an answer. 'There were no branches to the National Transcontinental railway.' The last answer

given was that there was one branch. Their first answer was incorrect. They said there was no branch.

Hon. Mr. CASGRAIN—There is no branch.

Hon. Mr. LANDRY—Day before yesterday I received an answer that the road from Quebec to the bridge was a branch of the National Transcontinental railway, and that was directly contrary to the answer given a week ago. Is it a branch, or is it not a branch? It is a question of 'To be or not to be.'

Hon. Mr. CASGRAIN—It is the main line.

Hon. Mr. LANDRY—It is not the main line. The main line is from Winnipeg to Moncton.

The SPEAKER—This question has been put and the answer given, and if the answer is not satisfactory—

Hon. Mr. LANDRY—The answer is not satisfactory. I know the hon. gentleman is kind enough to press all my demands. He has done it in the past, and will no doubt do it in the future.

Rt. Hon. Sir RICHARD CARTWRIGHT—I shall call the attention of the department to it, and if possible obtain an answer to the hon. gentleman's question.

The inquiry was allowed to stand until Thursday next.

MONEYS PAID TO JEAN DROLET, BY DEPARTMENTS.

MOTION.

Hon. Mr. LANDRY moved :

That an order of this House do issue for a return showing, year by year, from July 1, 1896, up to date, the amounts paid to Mr. Jean Drolet, of Quebec, by the several departments of the country.

The motion was agreed to.

APPOINTMENT OF MARTIN DICKIE.

MOTION POSTPONED.

The order of the day being called :

That an humble address be presented to His Excellency the Governor General praying His Excellency to cause to be laid on the table of this House:—

1. Copies of all papers relating to the appointment of Martin Dickie to the command of the 66th regiment of the counties of Colchester and Hants.

2. Copies of all papers relating to the recommendation of Major J. L. Barnhill by Lieut.-General Drury and others to the command of the said regiment.

3. Copies of all documents relating in any way to the reasons or causes why the said Major Barnhill as the senior officer of said regiment should not have been appointed to the command of the same.

Hon. Sir MACKENZIE BOWELL—In the absence of the Hon. Mr. Lougheed, in whose name this notice stands, I beg to make the motion in his place.

Rt. Hon. Sir RICHARD CARTWRIGHT—There is no objection to that motion passing; but I call the attention of my hon. friend, as an old Minister of Militia himself, I think, to the fact that I doubt whether we have at present, although we have made generals, attained to the rank of lieutenant-generals.

Hon. Sir MACKENZIE BOWELL—I have not read the motion until the present moment, and I ask now that it be allowed to stand until this day week.

Hon. Mr. POWER—At the same time, I should like to call the attention of the hon. gentleman who made this motion to the fact that the 66th regiment is not of Colchester and Hants, but a Halifax regiment. The Colchester and Hants regiment is the 68th.

The motion was allowed to stand until Thursday next.

THIRD READING.

Bill (9) An Act to amend the Inspection and Sale Act.—Hon. Mr. Thompson.

ACCOUNTS AND VOUCHERS OF THE SENATE.

CONSIDERATION OF MESSAGE FROM HOUSE OF COMMONS POSTPONED.

The order of the day being called:

Consideration of the message from the House of Commons requesting that the accounts and vouchers of the Senate for the fiscal year ending March, 1910, be transmitted to that House.

Rt. Hon. Sir RICHARD CARTWRIGHT —One or two suggestions have been made as to the best way of dealing with this matter, and I prefer to have a little time to consider it. I therefore move that the order of the day be discharged, and that it be placed on the orders for Thursday next.

Hon. Sir MACKENZIE BOWELL—I should like to call attention to the wording of this motion, and also to the message sent from the House of Commons. It asks for the accounts and vouchers. I take that to mean every account that has been presented to the Senate for payment during the year, and also the vouchers, which would be the receipts, I take it, for the amounts paid. Have the Public Accounts Committee of the House of Commons constituted themselves investigators, shall I call it, or do they propose when an account paid, that they must have the voucher laid before them to establish the fact of the payment of one dollar or two dollars or half a dollar, or whatever it may be, because really if the word voucher means anything it means that. Every item of expenditure by the Senate can be found in the Auditor General's Report down to ten cents. Are we to understand by the wording of this message that they want a receipt or voucher, to prove that the clerk, or whoever it was paid that ten cents, did so or put it in his own pocket, because really from my way of looking at it, I can draw no other conclusion than that to which I have given expression in reference to this matter. Another point to which I would call the attention of the right hon. leader of the House is, whether it is not infringing to a very great extent upon the dignity of this House for the Public Accounts Committee of the House of Commons to demand vouchers for every cent expended by the Senate? Is it possible that the Senate has become a vassal of the House of Commons, or the Public Accounts Committee of the House of Commons, in everything we do?

Hon. Mr. CLORAN.—Hear, hear.

Hon. Sir MACKENZIE BOWELL.—I admit that in accepting the Civil Service Act as it now stands upon the statute book, we deprived ourselves of usages and privileges as they formerly existed in this House as well as in the House of Lords in England, because the administration of this House is supposed, as far as possible, to be based, under the constitution, upon the principle which governs the House of Lords, and I think our own constitution declares that any cases not provided for in our rules are to be governed and guided by the practice and usuages of the House of Lords. I look upon this demand not only as an infringment of our rights, but as an indignity cast upon this House. I express my opinion very freely now, so that the right hon. gentleman who leads this House, and has the honour of this House in his custody, will look into the matter well before we accede to the request of the Public Accounts Committee of the House of Commons.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am by no manner of means disposed to find fault with the remarks of the hon. gentleman from Hastings. This motion does appear to me to have been passed by the House of Commons somewhat inconsiderately; but I am quite sure the hon. gentleman will agree with me in thinking that it should be treated with care. We do not want to appear to have anything to conceal in our accounts, etc.

Hon. Sir MACKENZIE BOWELL—Oh certainly not.

Rt. Hon. Sir RICHARD CARTWRIGHT —And it was partly on that account, and for the reasons that he mentioned, that I proposed that the matter should be postponed, and considered on Thursday, that I might be able to look into it a little more carefully than I have yet been able to do.

The motion was agreed to, and the order of the day was discharged and placed on the orders of the day for Thursday next.

BILLS INTRODUCED.

Bill (No. 46) An Act respecting the Ottawa, Northern & Western Railway Company.—(Hon. Mr. Belcourt.)

Bill (No. 53) An Act respecting the Dominion Atlantic Railway Company.—(Hon. Mr. Power.)

Bill (No. 57) An Act respecting the London & North Western Railway Company.—Hon. Mr. Coffey.

Bill (No. 66) An Act respecting the Brockville, Westport & North Western Railway Company.—Hon. Mr. Jones.

Bill (No. 67) An Act respecting the Burrard-Westminster Boundary Railway & Navigation Company.—Hon. Mr. Bostock.

Bill (No. 71) An Act to incorporate the Empire Life Insurance Company.—Hon. Mr. Jones.

Bill (No. 82) An Act respecting the Kettle River Valley Railway Company, and to change its name to 'The Kettle Valley Railway Company'.—Hon. Mr. Bostock.

THE SENATE DEBATES.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the House do now adjourn.

Hon. Mr. LANDRY—Before the House adjourns, I would like to know why we have not yet received any copy of the revised edition of the Senate 'Debates'. Parliament has been in session for over two months, and not a single copy of the revised edition of the 'Debates' has reached us yet.

Hon. Mr. COFFEY—I tried to call up the Bureau several times and the telephone was always engaged. I will try and ascertain the cause of the delay, and let my hon. friend know to-morrow.

Hon. Mr. LANDRY—Does the hon. gentleman say it is the fault of the telephone girls?

Hon. Mr. COFFEY—Possibly.

The motion was agreed to and the Senate adjourned until three o'clock to-morrow.

THE SENATE.

WEDNESDAY, February 1, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

IMMIGRATION OFFICIALS AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Is there, in the Immigration Office at Quebec, an employee by the name of John Byrne?
2. What are his duties?
3. Since when is he performing them?
4. Has he ever obtained, from the government, permission to take an actual part in the Dominion elections, to form a political club at Charlesburg, to preside at political receptions given in his own residence, in fact to perform different acts of aggressive politics?
5. Is it the intention of the government to grant these priveleges to him, if he applies for them, or to tolerate them if he does not make such a request?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. Yes.
2. He is a clerk.
3. May 16, 1906.
4. No.
5. No.

PAYMENTS BY DEPARTMENTS TO NEWSPAPERS IN QUEBEC.

MOTIONS.

Hon. Mr. LANDRY moved:

That an order of this house do issue for a return showing, year by year, from July 1st, 1896, up to date, the amounts paid to the Montreal 'Herald' by several departments of the government of this country.

The motion was agreed to.

Hon. Mr. LANDRY moved:

That an order of this house do issue for a return showing, year by year, from July 1st, 1896, up to date, the amounts paid to 'La Patrie,' of Montreal, by the several departments of the government of this country.

The motion was agreed to.

Hon. Mr. LANDRY moved:

That an order of this house do issue for a return showing, year by year, from July 1st, 1896, up to date, the amounts paid to 'La Presse,' of Montreal, by the several departments of the government of this country.

THE CANADIAN FLEET SERVICE.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this house do issue for a return showing, in as many distinct columns:

1. The names of all the ships of which the Canadian fleet service is actually composed.
2. The tonnage of each of these ships.
3. How old is each ship at present.
4. The purchase price, or cost of construction, or, in default thereof, the actual value of each ship.
5. The horse-power of each of them.
6. The motive power, side wheels, propeller or sails.

7. The number of persons of which the crew of each of these ships is composed.

8. The cost of annual maintenance of each ship with its crew.

9. The purpose for which each ship is used, specifying whether it is for the guarding of the coasts, the protection of fisheries, or for what other purpose.

10. The waters on which each of these ships sails,—the waters of the Atlantic or Pacific oceans, the Great lakes, of the St. Lawrence river, or elsewhere, with a short statement showing the number and the net tonnage of the ships of the Great Lakes service,—of the ships stationed on the shores of British Columbia, and of the ships sailing on the waters of the eastern portion of the American continent owned by us.

The motion was agreed to.

REPRESENTATIONS BY THE QUEBEC BOARD OF TRADE.

MOTION.

Hon. Mr. LANDRY moved

That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House, copies of petitions presented by the Quebec Board of Trade, or of the resolutions adopted by it during November and December last, and transmitted to the right honourable the Prime Minister of this country, together with all correspondence exchanged on the subject of these resolutions.

The motion was agreed to.

ADMINISTRATION OF THE OATH OF ALLEGIANCE AT LEVIS CAMP.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. At what exact date have each of the staff officers of the military division which camped at Lévis, last summer, subscribed to our new Sovereign His Majesty, George V, the oath of allegiance prescribed by the Militia Orders No. 177 of the 9th May, 1910?

2. At what exact date have the brigade staff officers, and each of the officers commanding the different units then called into service, subscribd the same oath?

Rt. Hon. Sir RICHARD CARTWRIGHT —The district officer commanding military district No. 7 has stated, in reply to a request for the information called for in the inquiry above, as follows : 'I have myself taken the oath of allegiance to our new Sovereign, His Majesty King George the Fifth, before the judge of the session of the peace, at Quebec, on the 23rd May, 1910.'

'I have not kept a record of the exact date upon which the staff officers of the division, or brigade staff officers in the last camp at Lévis, took their oath of allegiance, but I have caused every one of them to be informed through the medium of my chief staff officer and the deputy assistant adjutant-general, that all staff officers, and commanding officers of regiments, who had not yet taken such oath at that time, should do so, and to the best of my recollection, it was either the Monday or Tuesday of the second week in camp that I administered the oath myself to all those who came before me for that purpose.'

The camp at Lévis opened on June 21, 1910.

THE PURCHASE OF THE CARRIER AND LAINE PROPERTY AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government to the following facts :

I. On the 2nd April, 1910, the Honourable Mr. Landry, seconded by the Honourable Sir Mackenzie Bowell, proposed: 'That an humble address be presented His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House:—

1. Copies of all orders in council or of every order of the Department of Justice and of the Department of Public Works, and of all the correspondence exchanged between the government, the Departments of Justice and Public Works, the Bank of Montreal, the firm of Carrier & Lainé, of Lévis, and all other persons, on the subjects of—

(a) The acquisition by the government of the property of the firm of Carrier & Lainé, at the time of the sale thereof by the sheriff in 1908;

(b) the subsequent expropriation, for purposes of public utility, of the same property, which had fallen into the hands of the Bank of Montreal;

(c) its definite purchase from the Bank of Montreal by the government;

(d) the appointment of an agent to represent the government at the sale by the sheriff;

(e) the appointment of experts for proceeding with the expropriation of the lands in question.

2. Copies of all reports submitted, directly or indirectly, to the government, or in its possession, by the experts hereinbefore mentioned, or by the arbitrators to whom the Bank of Montreal and the firm of Carrier & Lainé had submitted their differences, or by the various advocates or agents acting in the name and in the interests of the government.

3. Copies of the various contracts entered into between La Banque du Peuple and the People's Bank of Halifax in 1905, between the government and the Bank of Montreal in 1909, between the government and Mr. Ernest Cann, who had become the lessee of the government,

for a period of thirty years, of the lands and buildings formerly the property of Carrier & Lainé.

4. Copies of all documents whatsoever and of all correspondence relating to the various transactions aforesaid, and also a statement showing all the sums of money paid by the government with respect to such transactions, with the names of the persons to whom such sums were paid, and the amounts paid to each of them, and for what particular object.

The question of concurrence being put thereon, the same was resolved in the affirmative.

Ordered, that the said address be presented to His Excellency the Governor General by such members of this House as are members of the Privy Council.

Extract from the Minutes of Proceedings of the Senate, No. 60, Friday, 22nd April, page 848, English edition.

II. On the 1st day of December, this House having not yet received the documents, which had been ordered, the Honourable Mr. Landry gave notice that he would ask: when do the employees concerned intend to obey an order given by the Senate on the 22nd April, 1910, instructing them to lay on the table of the Senate, the documents asked for in the above mentioned motion.

III. This notice of motion had somewhat of an effect, and on the day that the question was asked (January, 1911) to the leader of the this House, the latter laid on the table of the Senate, a rather voluminous return containing part of the documents asked for,—(those filed in the Department of Public Works, at Ottawa),—but, were missing, all the documents (letters, ordinances, contracts, &c.) which were and still are in possession of:

1. The Department of Justice.
2. The Department of the Secretary of State.
3. The agency of the Department of Public Works at Quebec.
4. The agency of the Department of Justice at Quebec.

And asked :

Will all the documents, ordered by this House, be immediately laid on the table of the Senate, and will the several departments, who unknowingly or not, have disobeyed or failed to obey this order, be warned of the imperative duty which befalls upon them of obeying without delay the orders of this House, if they wish to avoid a more startling denunciation of their methods, and a more efficient remedy to the evils caused by these methods.

Rt. Hon. Sir RICHARD CARTWRIGHT —Did the hon. gentleman look over the supplemental paper brought down?

Hon. Mr. LANDRY—Yes it comes from the Department of Justice. I suppose it has been for months and months in the office, and some of the last leaves are missing. There is a copy of an account filed by an employee of the Department of Justice, which terminates at page 14, but the next page is torn off, and the last one is greatly damaged and has been pasted over another sheet. Then among the papers which should have been supplied by the Secretary of State is a contract between the Bank of Montreal and the People's Bank of Halifax. I know it is in the department, and I asked for and obtained an order of this House for a copy of that contract. Then there are the two agencies at Quebec, one of the Department of Justice, the other of the Department of Public Works, neither of which has supplied the returns asked for last year.

Rt. Hon. Sir RICHARD CARTWRIGHT —I shall call the attention of the Secretary of State to the remarks of my hon. friend, and I have no doubt he will obtain any of the missing documents that are wanted.

Hon. Mr. LANDRY—Perhaps I may get the balance of the report of the Minister of Justice.

Rt. Hon. Sir RICHARD CARTWRIGHT —I understood from the Department of Justice that they had sent their papers to the Secretary of State, who is the usual channel for communicating between the two Houses, but I shall cause the official report of the hon. gentleman's remarks to be forwarded to the Secretary of State.

RESIGNATION AND SUPERANNUATION OF SIR LOUIS JETTE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the present chief justice of the Court of King's Bench for the province of Quebec, the Honourable Sir Louis Jette, placed his resignation in the hands of the government?

2. Does the honourable judge claim his superannuation with the payment of the whole of his present salary under the law which grants it to any judge of seventy-five years of age and having at least twenty years of service as judge?

3. Is the government looking for a successor to the judge outside the members, in the Dominion parliament or in the Quebec legislature?

4. Is there any prospect that a brilliant success will finally crown its persevering efforts?

Rt. Hon. Sir RICHARD CARTWRIGHT —As to the last question, the probability of a brilliant success crowning their ef-

forts, judging from the success with which the Hon. Premier has administered these matters, my hon. friend may be reasonably confident that it will be a brilliant success. On the other questions I have no information, or the department has no information.

Hon. Mr. LANDRY—No information as to the first part of my question !

Rt. Hon. Sir RICHARD CARTWRIGHT—No information as to the first, second and third parts.

Hon. Mr. LANDRY—Was information asked for?

Rt. Hon. Sir RICHARD CARTWRIGHT—Apparently it was.

Hon. Mr. LANDRY—I do not find it so apparent as that.

Rt. Hon. Sir RICHARD CARTWRIGHT—As to the placing of the resignation in the hands of the government and claiming superannuation, the department have no information.

THE SENATE DEBATES.

REPORT ADOPTED.

Hon. Mr. COFFEY moved the adoption of the Second Report of the Standing Committee on Debates and Reporting of the Senate. He said: As hon. gentlemen are all quite aware, considerable dissatisfaction has been felt and expressed in the Senate for a long time past—indeed I am cognizant of this dissatisfaction ever since I have had a seat in the Senate of Canada—at the tardy manner in which French translations are supplied to the House. This has continued year after year, and many a time, as you know, when we are asked to consider Bills, sometimes of very great importance, we find that the French translation of those Bills has not been placed on the desks of the French speaking members. As a member of the Committee on Debates and Reporting, I always felt aggrieved to know there were these continuous complaints, and I felt also that as soon as possible steps should be taken to make our work run smoothly, and have no more grumbling in regard to the manner in which these translations were made. I need not tell you that the translation of these Bills and the translation of all other matter connected with the Senate, and the translation especially of the Debates is a matter which should not be considered a privilege for our French members. It is in the Confederation contract. A bargain is a bargain, and if this translation has to be done, let it be done with good grace and cheerfully, and not in a grudging manner. It will be within the recollection of members of this House that we sometimes have very long Bills on our hands. I may instance the Land Bill and the Insurance Bill. Possibly the average member does not realize what a length of time it takes for the present small staff of translators to present these Bills in the French language. A couple of years ago, I remember very well complaints came day after day, week after week and month after month from my hon. friend from Stadacona, the Minister of Order, pointing out that the rules of order had not been translated into French. Day after day he would make the complaint to the then Secretary of State, my right hon. friend to the left. Day after day an answer would be postponed, the same question would come up again, but no satisfaction was given. At last, in the course of a year, perhaps more, we had the translations of our orders in the French tongue. To give you some idea how reasonable the complaint of our French members is, I have in my hand a table showing the delay in the translation of the Debates for a few years. In 1900 the French members were presented with the French Debates one year after the session was over. In 1903 there was another year. In 1904 another year elapsed, and in 1909 it was seven and a half months after the House rose when the French members received their copy of the Senate Debates. It was therefore deemed advisable to take some steps to remedy this grievance. I inquired as to the cause of this delay and found that the present staff of translators was over-loaded with work. They had a great deal more work than they could do. It may be claimed

with truth that at the beginning of the session they are very well able to keep up with their work, but as the work of the Senate progresses and as the end comes near they are completely overwhelmed. In this connection I will read to the House a letter from Mr. Bouchard:

Hon. Gentleman,—In answer to your request to give you some information upon the necessity to give to the present two translators of the Senate Debates an assistant translator in order to expedite the translation of those debates, I beg to state that a third translator is necessary as soon as the sittings of the Senate give a number of pages exceeding the power of two translators. A reasonable average for a translator is three or four pages a day, if you wish to have a good translation, and I base this assertion upon my own experience of nearly twenty-five years.

As you know, the sittings vary very much in length. There are some very short and give very few pages to translate; but some others are longer and give, sometimes, fifteen twenty-five, thirty, forty and fifty pages a day. A long sitting requires many days to be translated by two translators, and during the time for translating a long sitting, those two translators are overpowered by the accumulated debates of the following sittings.

It is specially during the second half of the session that the accumulation of work occurs. In that part of the session the number of pages, each day, increases sometimes enormously. For instance, during the last three weeks of the last session the debates gave to the two translators 487 additional pages.

With those few observations, I think it must be admitted that three translators could expedite the translation of the Senate Debates much more efficaciously than it has been in the past.

Your most respectful servant,
JOS. BOUCHARD,
Translator.

P.S. About the referring to the six pages a day translated by each translator of the Commons 'Hansard,' I said yesterday before the Debates Committee that those translators of the Commons were killing themselves. The fact is that since a few years four of them died of softening and inflammation of the brain. I am quite sure that was caused by overworking.

JOS. BOUCHARD,
Translator.

I also consulted in this connection Mr. Chapman, and he writes as follows:

It is impossible for the present staff to complete the translation of each session every day, particularly the work of the last half. Sometimes there are 65 pages of matter in a session. The 'Hansard' translating staff is composed of only two persons.

Now I wish hon. gentlemen to pay particular attention to this paragraph:

'As three or four pages of translation is a good day's work, it will be seen that it will be impossible to have the work properly done without extra assistance.

It was deemed advisable therefore by the Committee to recommend that for the session and for the session only, a competent man might be employed to assist the present staff of translators and we recommended the appointment of Mr. Morrisette. I have here a letter from Mr. Trudel in which he says:

I beg to report that I have examined the work performed by Mr. Georges Morrisette, and I have pleasure in stating that I find it perfectly satisfactory.

As the question may be raised as to our competence to appoint an officer of this kind, I have in my hand a letter from the secretary of the Civil Service Commission which says:

Sir,—Referring to your application for a certificate of qualification under the provisions of section 23 of the Civil Service Amendment Act, 1908, in favour of Mr. Georges Morrisette, whom it is proposed to employ temporarily as a translator during the present session of parliament, I am now directed by the commissioners to say that, in their opinion, the employment of such sessional help in the Senate does not come under the operation of the Civil Service Amendment Act, 1908, and that no reference to the commission is, therefore, necessary in the matter of Mr. Morrisette's appointment.

Hon. gentlemen now have the conditions before them. The committee ask that you strengthen their hands in the work of providing for the French members of the House prompt and accurate work so far as the French translation is concerned; and if this report goes through and Mr. Morrissette is appointed for the session at so much per day, the same rate that is paid men doing like work in the House of Commons, I trust I shall have the pleasure of knowing that there will not be any further complaints from the French senators.

Hon. Mr. CASGRAIN—I am very glad this matter has been brought up to-day, because I for one have felt the need of some such step being taken. Last session I had the honour to make a speech in this House on the subject of the navy, and I considered it quite an honour to be asked by various newspapers in the province of

Quebec for a copy of that speech. In my remarks I had quoted several documents, such as the subscription list raised by the priests of Quebec and others for the upkeep of the British navy. I could not get even an unrevised copy of the speech as translated, and had to go to the expense of having it translated myself. That necessarily gave me only one copy, and I was unable to supply copies to all the newspapers that asked for them. I wrote to the translators several times during the recess, and the last information I had was that it was in the hands of the Printing Bureau. I learned on investigation that the Printing Bureau had kept it about two or three months. I do not want to find fault with our translators but there is something wrong. I was a translator in the House of Commons under the Mackenzie government, and the French translation came out about the same time as the English edition. Translators were appointed by the day, and it did not cost any more for getting the work done that way. A sufficiently large staff was employed to keep up with the work of translation, so that the French edition was in the hands of the French members almost as soon as the English edition. What is the use of having a French edition of our 'Debates' which can only be had twelve months afterwards? Very often, the matter contained in the speeches has ceased to be of interest by the time the translation of the report is issued. Unless we can have some improvement on the present system, it is merely a waste of money. If our newspapers want to publish any of our speeches, they must go to the expense and trouble of translating them for themselves, and that takes time. That is why our speeches so seldom find their way into the Quebec newspapers. English speeches are sometimes published in the English papers, but when it is necessary to make a translation they seldom appear in the French press. Perhaps one more translator will be able to bring up the work to date, but it would not cost any more to employ men as they are required. The work of translations is difficult and requires specially trained men, but they can be found. During the Mackenzie regime, this work was done very often as extra work by the page, and if the work was not satisfactory, the translator was not paid. The price, I believe was $1.25 per page, and a few days after the delivery of the speech the French edition was published. If we had some such system here it would improve the position.

Hon. Mr. WATSON—How many pages of our 'Debates' would be a day's work for a translator?

Hon. Mr. CASGRAIN—When they were working on piece-work at $1.25 per page, a very good translator used to translate six or seven pages, and some have done as much as eight pages; but that was by working from eight in the morning until eleven or twelve at night. It was the work of men well versed in the two languages, who could translate almost as fast as a man could write. On an average, four or five pages is a very fair day's work, and it requires men who are specially trained for the work.

Hon. Mr. COFFEY—Four pages would be a good day's work.

Hon. Mr. THOMPSON—The chairman of the committee has told us that this appointment does not come under the jurisdiction of the commission appointed under the Civil Service Amendment Act. It is, therefore, a matter for the Senate to determine. As the older members of the Senate know, such matters have always been dealt with by the Committee on Internal Economy. I do not object to the employment of another translator, but I should like to be acquainted with the work of translation to be prepared to give an intelligent vote on the subject before us. Apart from that, however, it has been the practice of the Senate for years past to refer such matters as this to the Committee on Internal Economy to report to the Senate before action could be taken.

Hon. Mr. LANDRY—I am not opposed to the appointment of another translator, but I wish to point out that this motion is contrary to our rules, and to our classification, and that the new appointee will be put in a better position than our translators are to-day. It is proposed that this new translator be appointed for the present

session only, and that he be paid at the same rate as like translators are paid in the House of Commons. We are asked to do two things; first, that the new translator shall be paid at the same rate as the translators in the House of Commons, where the translators are better paid than our translators are here.

Hon. Mr. COFFEY—It is not proposed to put Mr. Morrissette on the same footing as the regular translators employed in the House of Commons. During the session extra men are employed there at $4 or $5 a day. This is not a new thing, because on referring to the Jourals of the Senate for 1908, I find that the Debates Committee recommended that the matter of supplying assistant French translators be left in the hands of the chairman of that committee.

Hon. Mr. LANDRY—We are bound by the law. The chairman of the Debates Committee invokes chapter 15, section 23. Now, what does section 23 say? It says that whenever, from a temporary pressure of work, extra assistance in excess of those whose names are on the list of successful competitors is required in the interest of the service of any department, the governor in council may, upon the recommendation of the head of the department, based upon the report in writing of the deputy head that such extra assistance is required, authorize the employment of such number of temporary clerks as are required to carry on the work of the department. Therefore, it is the deputy head that should make a report to the head of the department, and the head of the department makes his report to the House. For the purposes of this Act, the Senate is considered the governor in council, and the clerk deputy head and his honour the Speaker the head of the department. That is the channel by which this sort of motion should pass. If the House is willing to take a new departure, well and good; it is establishing a precedent which may have its value in the very near future. Then subsection 2 of section 23 provides that every such clerk proposed for temporary work shall, before appointment, obtain a certificate of qualification from the commission that he possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits. I do not understand how, in the face of that subsection, the commission could say that they have no authority in the matter. I do not question for a moment the ability of the candidate; I think he is quite fit for the position and able to perform the duties he is to undertake. But I think we should follow the practice, and in this particular instance the recommendation should come from the clerk of the House to the Speaker and from the Speaker to the House itself, and then the House would be in a position to do the work as regularly as possible, according to the proper procedure. I may be wrong, but I am giving you candidly what I think is the proper method to pursue, so as to make that appointment according to the laws of the country.

Hon. Mr. CAMPBELL—I should like to ask the chairman of the committee how many translators there are at present employed on Senate work?

Hon. Mr. COFFEY—Two.

Hon. Mr. CAMPBELL—Is that the same number as we had last session?

Hon. Mr. COFFEY. There are two translators of the Debates; there are three working at present, the extra one, Mr. Morrissette, is at work now.

Hon. Mr. CAMPBELL—How long has he been on?

Hon. Mr. COFFEY—Some little time. I do not know how long.

Hon. Mr. YOUNG—How did he get on?

Hon. Mr. COFFEY—He was appointed.

Hon. Mr. YOUNG—How?

Hon. Mr. COFFEY—By the chairman of the committee. He reported for duty on the 5th December.

Hon. Mr. BEIQUE—I am afraid we are not proceeding properly about this matter. For my part I have very great doubt as to whether two translators are not able to translate our debates.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. BEIQUE—And in any event, if they require assistance it is merely at the close of the session. In the early part of the session, they have not too much work. I looked over that matter for a number of years, when chairman of the Debates Committee, and I think I know what I am speaking about. The expense of the Senate has been placed before the country, and we should be careful as to our action in this matter not to incur unnecessary expense. I take occasion to direct the attention of hon. members to this fact: our debates as they are printed, and as they are translated, are altogether too voluminous. I advocated two or three years ago—and, after consulting a number of leading members of this honourable House, I had their approval in the suggestion which I then made—to have an editor who would take the trouble to revise all the manuscript furnished by the reporters, and remove from the report all repetitions and unnecessary matter. I am reliably informed that that is done to a considerable extent in the House of Commons by the reporters themselves, and if it were done in this House by a competent editor who could act also as a reporter, the consequence would be that our debates would be shortened by half, and they would be much more instructive, and the cost of translation and printing would be reduced by half. Instead of having 800 pages, we would have 300 or 400. It would be a great saving, and our report would be a credit to the Senate. For the purpose of ascertaining whether the translation was properly done, I have read a large number of the Senate Debates, and found innumerable repetitions in the reports of speeches, and many things which should not go into print, either from myself or other hon. members of this House, and if we are the guardians of our own interests and of the Senate, I think we should adopt a more condensed form of report as soon as possible. I understand an hon. member of this House intends to move in that direction.

Hon. Mr. DANDURAND—I have given notice of such a motion.

Hon. Mr. BEIQUE—If the hon. gentleman has given notice, surely we should hesitate before proceeding with this report, until we decide whether we want a report such as the hon. gentleman gave notice of. If we adopted such a plan, it might do away with the necessity of a third translator. I think the hon. gentleman from Stadacona is quite correct, that if the report was adopted as it is presented, the consequence would be that this additional translator, coming at a late date of the session, would be paid more than the regular translators of this House, because our own translators, Messrs. Bouchard and Chapman, are not paid as much as the translators of the House of Commons receive. I understand that the intention of the chairman of the Debates Committee is that the additional translator be paid by the day. I do not think that would be the effect, because the report states that he shall be paid as the translators of the House of Commons are paid.

Hon. Mr. COFFEY—No, as the additional translators are paid.

Hon. Mr. BEIQUE—Does the statute refer to additional translators?

Hon. Mr. COFFEY—As like translators in the House of Commons.

Hon. Mr. BEIQUE—He is to be paid as a translator for this session. Section 23 of the Act provides for the employment of additional clerks, and states that no such temporary clerks shall be employed for more than four months in every year, but there is no question as to salary, and I am not aware of any rule for fixing the amount of the salary, except that the amount is to be the same as that which is paid in the House of Commons.

Hon. Mr. CHOQUETTE—The extra translators.

Hon. Mr. BEIQUE—But the point on which I insist is, that we should wait until we see what action the House will take on the suggestion that a change be made in the mode of reporting the debates of this honourable House.

Hon. Mr. CHOQUETTE—If the question were on the abolition of the Senate

Debates, I might go even further than the notice of motion just given because I am for the abolition of the publication of the debates of the Senate. If any hon. member who makes a speech wishes to give it to the press it is his own business. When I was in the Commons, I was in favour of the abolition of the 'Hansard.' If we were discussing, as we will discuss soon, the motion of my hon. friend from De Lorimier (Hon. Mr. Dandurand) it would be a different matter, but now, after the reason given by the chairman of the committee, and the reason given by the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain), it is absolutely necessary that we should have at this very moment an extra translator, and I do not see why the report of the committee should not be accepted. It is customary for the House to accept all these reports, except for very grave reasons, and I think the grave reasons are in favour of the adoption of the report of the committee. The hon. gentleman from Stadacona (Mr. Landry) is perhaps correct in the point raised by him. On looking over section 23 of the Act, perhaps the report goes a little too far. It should recommend to the Governor in Council the appointment of this gentleman. I think the House ought to accept the sense of the report to the effect that it is absolutely necessary for this session, as long as we have an official report as we have it now, to have an extra translator. As to the salary, I think the hon. gentleman from De Salaberry is mistaken. The report says he will be paid, not as an ordinary translator of this House or the House of Commons, but the same salary as the additional translators are paid by the House of Commons. That means only about $4 a day. The translators of the House of Commons are not on the paylist. They are extra, and this report says Morrissette will be paid the very same salary as received by the extra translators of the House of Commons. So on this point the report is correct. On the whole, I think we should accept the report and not delay, because by the end of the session the translators will be behind with many speeches and many other matters, and we will have to wait one year after the session closes to have the French edition of the debates and other proceedings before the Senate as it has been in the past.

Hon. Mr. POWER—I do not propose to discuss the merits of the report, but I wish to point out to the hon. chairman of the committee that this House has already got into conflict with the Auditor General as the result of certain actions that we took with respect to employees of the Senate. I am satisfied that if this gentleman is appointed, when his cheque is presented to the Auditor General he will refuse to pass it, and the gentleman will be placed in a very awkward position, and this House will have another difficulty on its hands. The hon. chairman of the Internal Economy Committee suggested that inasmuch as that committee is supposed to have charge of all matters affecting the financial affairs of the Senate, this proposed appointment should be referred to that committee for consideration. On the whole probably that would be the wiser course to adopt, so that that committee may perhaps be able to suggest some means of avoiding a conflict with the Auditor General.

Hon. Mr. POIRIER—When the question comes up in regard to altering the mode of reporting, I will support it if it is along the lines that have been suggested. In the meantime, I believe in the axiom that whatever is worth doing is worth doing well. The translation of our Debates from English to French is not very satisfactorily done as to speed, and what is proposed by the chairman of the committee is to remedy the complaints that exist and which work to the detriment of the members of this House. It is worth while observing that what he proposes is only for this session, and is not at all of a permanent nature. It is probable that before the session closes, a new method for reporting our debates will be proposed and probably adopted, and, therefore, what is to be done this year will terminate at the close of the session. The quibble, if I may be allowed to respectfully use the expression, that this proposed translator will be paid on the same basis as the permanent translators of the other House, will hardly stand examination.

The wording of the report says that they are to be paid the same salary as the like translators in the other House. They are to be paid by the day. There will be no trouble on that score, as I apprehended it. As to the observations made by my hon. friend from Halifax, dreading the veto of the Auditor General because this appointment would be irregular, I beg leave to differ from him. What the Auditor General put his veto upon two years ago was our placing a messenger in a class which he was forbidden to enter by the very words of the Act. We were acting positively against the law. In this case I cannot see that we are. We are acting regularly within the law I think. The situation of the Senate in reference to such appointments is really awkward. I am one of the members of the Debates Committee. We pass certain resolutions, and an hon. member belonging to another committee suggests that we make our report to another committee of equal standing. That is not at all in accordance with the practice of the Senate. One committee is on a par with another committee, and the only action that can be taken by us is to report to the House, not to the clerk, not to the chairman of the Internal Economy Committee, but to the Senate, as we are doing now. We are proceeding regularly, and in the only becoming, decent and rational way we can proceed, and, granting that we conflict with the wording of the Act, there is no other way of making this appointment except the mode adopted by the chairman of our committee. I repeat that when the question comes up for remodelling and changing our method of reporting—barring absolute abolition of the Senate Debates—I shall be found in favour of it, both for the English and French. At the rate we are going, a hundred years hence the volumes containing the reports of the two houses will require a building as large as our present library, and the reports will be so stupendously voluminous that no one will go to them to ascertain what is to be found in the dusty volumes. The sooner we change the mode of reporting the better, but in the meantime I hope the House will see, if not the necessity, at least the advisability of adopting the report now before us, which will have the effect of remedying an evil, if evil it be, but which some of the members have reason to complain of, and which, on the whole, is not giving the French members of this House exactly what they may be entitled to, according to their strict rights.

Hon. Mr. CLORAN—I simply rise to correct an impression from the remarks made by the hon. gentleman from Acadie (Hon. Mr. Poirier). He stated that the translation of the Debates was not satisfactorily and properly done.

Hon. Mr. POIRIER—If I conveyed that impression, I withdraw it. I mean to refer to the delay in the work of translation. I think the work is very properly done. I thank my hon. friend for calling attention to it.

Hon. Mr. CLORAN—There is no doubt that our translators are probably the most competent men in the Dominion of Canada. They are men of national reputation as literateurs, poets and writers, and I regret now, as I stated some two years ago when this matter was up, that we do not pay our translators sufficient for the work they do. It was proved here time and again that our translators were doing nearly twenty-five to thirty-three per cent more work than the regular translators of the House of Commons who receive a salary of $2,500. An effort was made in this honourable House to put our translators on the same footing as the translators of the House of Commons, but the effort failed on the ground of economy, not taking into consideration the ability and talent these men were placing at the service of the country, ability and talent that are not surpassed by any of the translators in the House of Commons. To-day we have it officially stated that these two translators, who are underpaid by this honourable body, have too much work to do. It is admitted that they cannot do the work so as to provide the French copy of the Senate Debates promptly. They are not the only ones who are entitled to, and who want the French edition of the Debates. All our papers, all French citizens in the province of Quebec, in New Brunswick, and in Manitoba, where the French language is spoken, and where it is written, require

these Debates, and should have them as promptly as the English newspapers and the English institutions of this country, and any attempt made to minimize the absolute need of this report is not fair. We have been discussing the paltry sum of about $200, because if the translator is employed, he will have 40 or 50 days work by the close of the session and at $4 or $5 a day it would amount to about $200. It was enough for the committee to report to the House what they wanted, giving proof that what they wanted was necessary, but we discuss the Auditor General, the Governor in Council, and this and that in connection with this paltry matter. The Civil Service Commission has put itself on record that the matter is too small for them to deal with, and does not come within the purview of their powers and jurisdiction. Why not accept the statement of the chairman of the committee that the services of the translators are required? The expenditure will not be so great that the country will be shocked at our extravagance.

Hon. Mr. McMULLEN—I move an amendment, that the report be not now adopted, but that it be referred to the Committee on Internal Economy for their consideration and report, and that further consideration be left over until we have their written report.

Hon. Sir MACKENZIE BOWELL—This is a very simple question to decide, and the matter of the paltry amount referred to by the hon. gentleman who has just spoken has not been under consideration. I am not aware that any gentleman has spoken to that portion of the report ; but, notwithstanding the conflict of opinion expressed here, the letter from the Civil Service Commission declares that this appointment did not come under their consideration. My hon. friend from De Salaberry came to a different conclusion on reading the law. In view of that conflict of opinion, and in view of the notice given by the hon. gentleman from De Lorimier, it does strike me it would be well to defer the consideration of this question until the sense of the Senate has been tested on the motion proposed by my hon. friend from De Lorimier. I might add parenthetically that I am fully in accord with my hon. friend who has given notice of this motion. It is the opinion I expressed a number of years ago. When in the House of Commons I voted in favour of abolishing the 'Hansard' altogether, and I have not changed my mind on that question yet. The hon. gentleman gives notice that in the opinion of this House the reporting and printing of the debates of this chamber at full length is a costly and useless expenditure ; that the Standing Committee on Debates and Reporting be instructed to arrange during the present session for the reporting and printing of debates of the House in a concise form, and to report thereon.

That motion is of a somewhat drastic character, but if it should be passed, and the Debates Committee confine themselves to the question referred to them under this notice, it seems to me another translator will not be required. I suggest that the report and the amendment should be allowed to stand until this question is taken up. During the two months we have been in session, there certainly has not been work for an additional translator, and from what appears on the paper it does not appear that we are to have a great deal of work from the House of Commons this session. The government has not deemed it advisable to present any government Bills of importance to this House, and the private Bills, so far, have been simply to extend railway charters or incorporate loan and insurance companies. As I understand it, the Bills which come from the House of Commons are translated by the staff there, and not by the translators of this House. If there is a permanent staff, as I presume there is, they could be employed to report the debates of this House, and if they are too busy during the latter part of the session to do that work, they could proceed to complete the translation of the Debates after the prorogation of parliament. Where the delay has been I cannot say, but either the translators have neglected to keep up their work during the recess, or the Printing Bureau has failed in its duty. The hon. gentleman from DeLanaudiere (Hon. Mr. Casgrain) told us he was unable to get a printed copy of the translation of a speech

he made last session, and on investigation found that it had been at the Printing Bureau for two or three months. Why it was delayed there has not been explained, but my impression is that a great deal of the blame for delay rests with the Printing Bureau. We had better postpone further consideration of this matter so that we may not have another such difficulty as we have already had with the Auditor General. Having placed ourselves within the purview of the Civil Service Act, we had better let the matter remain until we know exactly in what position we are placed.

Hon. Mr. DANDURAND—The hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) thinks there would be an advantage in delaying this matter until the motion of which I have given notice is dealt with; but if my hon. friend will read the notice he will find that it has nothing to do with the work of the present session, inasmuch as the reporting of the 'Debates' is being done under contract and is not likely to be changed during the session. My intention is that any change to be made should apply to next session. All the same, I feel that we are taking an irregular course when I read this report from the Debates Committee. I do not know that it would avail us to any extent if we were to send that report to the Internal Economy Committee. I do not see anything in the Act, except section 23, under which we can take action. I cannot find any ground in that section for the action taken by the Debates Committee. The procedure to be followed is that indicated in section 23. When there is need of an additional translator, it is the duty of the clerk to so report to the Speaker, who shall refer it to the House. The House being seized of the matter, can deal with it summarily, or refer it to the Debates Committee or the Internal Economy Committee to be reported on. The exact words of the section are:

> The Governor in Council may, upon the recommendation of the head, based on the report in writing of the deputy head of the department that such extra assistance is required, authorize the employment of such number of temporary clerks as are necessary to carry on the work of the department.

Our deputy head is the clerk, the Speaker is head and the Senate is the Governor in Council. It seems to me we should dispose of this report in some way and allow our clerk to make his report to the Speaker. In fact, the report of the committee practically suggests that we should now proceed to that end, because it closes with this recommendation:

> That the Clerk of the Senate, in accordance with the Civil Service Act, chapter 15, section 23, 1908, report upon this arrangement to His Honour the Speaker.

The duty of the Speaker under section 23 is to report again to the Senate, and we can endorse his action or not as we think proper.

Hon. Mr. LANDRY—If I understand the hon. gentleman, the proper procedure is to set this report aside altogether and let the initiative be taken by the Clerk of the House.

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LANDRY—Who would report to the Speaker and the Speaker to the House, and the House would decide.

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LANDRY—The hon. gentleman says this appears in the report itself, but the report comes from a committee, and has been submitted to the House, and our concurrence is asked for. What would be the effect of our concurrence? It would be to compel the Clerk to make his report to the Speaker, and the Speaker would report to the House and the House would decide the question. If that is the purpose of the report, we might follow that procedure, but with the understanding that we are not employing this man until the recommendation comes through the proper channel.

Hon. Mr. THOMPSON—I understand the Chairman of the Committee has a letter from the Civil Service Commission to the effect that this is a matter which does not come within their jurisdiction. We have been arguing that it does come with-

in their jurisdiction, and that this report is a direction to the Clerk of the House, as deputy head, and the head of the department, who is our Speaker, to take action on the report of the Debates Committee. We are getting all wound up and we will have to unwind before we are through with it. There is another feature of the question that we should take cognizance of. If the amount of salary involved is less than $500, the opinion of the Minister of Justice is, that we stand as we were before the Civil Service Act came into force. If the salary is larger, it has to be dealt with in the order provided for by the Civil Service Act. But we have here a letter from the Civil Service Commission telling us to go to work and do this business ourselves. I understand the hon. gentleman from Stadacona (Hon. Mr. Landry), to say that this is an order to the deputy head to do something contrary to the Act. I wish to make a correction of a statement made by the hon. gentleman from Acadia, (Hon. Mr. Poirier). I did not suggest to the Senate that a committee of this House should report to the Committee on Internal Economy. I merely said, that in matters of this nature it has been our practice, as laid down by Bourinot, that matters involving an expenditure, should, after being reported to the Senate, be acted upon by the Senate or referred to a committee.

Hon. Mr. BEIQUE—I would suggest that the Chairman of the Committee, with the consent of the hon. gentleman who has moved the amendment, should withdraw the report for the present, in order that the matter may be better considered and that we may follow the proper procedure. If, on further consideration, it is deemed that this is the proper procedure, the hon. gentleman will not be debarred from presenting his report again. However, I think the hon. gentleman from De Lorimier is correct—that this is not the proper way to bring the matter before the House.

Hon. Mr. DANDURAND—I should, in justice to the Clerk of the Senate announce his views on the matter. He received from the chief translator a request for extra help. He deemed proper to send that request to the Debates Committee for their opinion upon the propriety of employing another translator.

Hon. Mr. YOUNG—When did the clerk get that demand?

Hon. Mr. DANDURAND—At the beginning of the session. Now he has, in this report, the opinion of the Debates Committee approving the appointment, and he has prepared his report to be handed to his honour the Speaker, who should then recommend the name. Of course, part of this report is irregular inasmuch as it names the party to be appointed, whereas it should be left to the Speaker to report to the Senate, which could then deal with the report. I am not so sure that the Clerk of the Senate had authority under the Civil Service Act to ask the Debates Committee for their opinion instead of sending that report with his recommendation to his honour the Speaker.

Hon. Mr. McMULLEN—I have no objection to withdrawing the amendment on the suggestion of the hon. member from De Salaberry (Mr. Beique), on the understanding that the original motion will be withdrawn.

Hon. Mr. COFFEY—I see there is a conflict of opinion among the lawyers, and it is difficult for me, a layman, to find just where I am. I should like to be advised where I would stand if I should withdraw my motion. I am prepared to withdraw the report of the committee if it is understood that the Clerk will make the same report to the Speaker, and the Speaker to the House.

Hon. Mr. YOUNG—We will have a vote on that.

Hon. Mr. WATSON moved the adjournment of the debate until Wednesday next.

The motion was agreed to.

GRAIN GROWERS' GRAIN COMPANY BILL.

SECOND READING.

Hon. Mr. DAVIS moved the second reading of Bill (G) an Act to incorporate the Grain Growers' Grain Company, Ltd.

Hon. Sir MACKENZIE BOWELL—Will the hon. gentleman inform the House of the purport of the Bill?

Hon. Mr. DAVIS—The Bill speaks for itself. The object is to incorporate a number of gentlemen in Winnipeg, whose names appear in the first paragraph, for the purpose of carrying on a certain business. There may be differences over some of the details of the Bill, but I propose to have it referred to a committee where all these details can be considered.

The motion was agreed to and the Bill was read the second time.

THE PUBLIC HEALTH COMMITTEE.

MOTION.

Hon. Mr. DeVEBER moved the adoption of the second report of the Committee on Public Health and Inspection of Foods. He said : Your committee was formed for the express purpose of investigating just such conditions as we feel certain exists in lumber and other camps to-day. Two sessions ago, your committee took up the matter of pollution of streams and disposal of sewage, and pure water supply for towns and cities. They held their investigation and brought in their report. The report was referred to the Conservation Commission with a request that they take action. They called a meeting of the health officers of the different provinces, who met the health officers of the Dominion government and considered the matter fully. The result is, the Bill which was introduced by the hon. member for Ottawa (Hon. Mr. Belcourt) and which comes up for its second reading to-morrow. As one of the surgeons of the Crows Nest railway, it came to my knowledge that for years a certain amount of typhoid had existed on all the divisions of railways in the west. It is not only to-day that these conditions prevail. During the construction of the Canadian Pacific railway through Alberta and the Rocky Mountains, I happened to be in the west, and I know that the conditions were simply alarming. The number of typhoid cases and deaths was something fearful. During the construction of the Crows Nest railway I was on the work and the same conditions existed. On my own division this year we had only three or four cases, but on the next division to mine there were 25 cases in a month. Immediately north of Lethbridge, on a new irrigation project, the condition has been extremely serious—40 cases in one month in hospital with several deaths is serieus enough. In other months there were many other cases. I understand that similar conditions prevail on the Grand Trunk Pacific building west of Edmonton, and on certain parts of the National Transcontinental railway in northern Quebec. This can be prevented if proper hygienic conditions are observed, and all due precautions taken. Having studied the matter a while, I naturally feel I know the solution of the difficulty, but I would not like to force my own opinions on the country. I would not like to do it all off my own bat, and the committee think it advisable to cite to appear three surgeons, one from each of the different transcontinental roads in the west, and also to have three men who have been accustomed to run construction camps to give evidence. We might also cite one or two experts to appear before us, and give us their ideas. As to the appropriation we ask for, I do not think it is an alarming amount. I have spoken to the head men on the three different transcontinental lines from the west, and they have given me the names of three surgeons, who, they think, would be the best men to provide the evidence. They have offered to provide the transportation, and we, of course, would pay Pullman expenses, meals and hotel expenses while the gentlemen are here. I hardly think we will use the whole $500, but, taking into consideration the fact that two years ago the same amount of money was placed at our disposal, and we only used $100.10, the House can very safely grant us the amount, feeling sure that it will be used in an economic manner.

Hon. Mr. ELLIS—I am sure we would all be in sympathy with the hon. gentleman who has moved this resolution, but I, as one of the more timid members of the committee, would like to have the assurance that, in voting the money, we will not run against one of these wonderful committees, which exercise such dreadful control over us at the present time. I

suppose we have the right to make this grant.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think, if the House carries the resolution, the money will be forthcoming.

The motion was agreed to.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

THURSDAY, February 2, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

MANITOBA AND NORTHWESTERN RAILWAY AMENDMENT BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraph and Harbours reported Bill (No. 19) an Act respecting the Manitoba and North Western Railway Company of Canada, with an amendment. He said : By the statute of 1901 the company was incorporated with power to build a branch line of this railway from a point between Theodore and St. Insinger to a point in township 32, range 18 or 19 west of the second meridian. By clause 2 of the Bill, as originally drafted, the company sought to change the terminus of that part of its railway, but it transpired that the object was not so much to change the terminus as to change the route of that portion of the road. Clause 2 of the Bill reads an follows:

The said company may make the terminus of the said railway, heretofore authorized to be constructed from a point between Theodore and Insinger, at a point in range sixteen or seventeen instead of range eighteen or nineteen.

Hon. gentlemen will see from the reading of it that the wording was inappropriate. For that committee substituted the amendment now reported, changing the wording of clause 2, to read as follows:

The said company may construct the said railway at a point between Theodore and St. Insinger to a point in township 32, ranges 16 or 17, west of the 2nd meridian,' instead of 18 or 19 as it was in the Bill.

The effect of the change is to give them an alternative route. They are satisfied with the change.

CHARGE AGAINST AN IMMIGRATION OFFICIAL AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired of the government :

1. Has a person named John Bryne, of Charlesbourg, an employee of the government in the immigration office at Quebec, ever been accused in the course of last year, falsely or rightly, of having when on duty and when wearing the uniform of his office failed in a serious respect to comply with the regulations of the office?
2. What was the charge brought against him, and how did he meet it?

Rt. Hon. Sir RICHARD CARTWRIGHT —The government has no record of any such incident.

BRANCH LINES OF GRAND TRUNK PACIFIC AND NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. LANDRY rose to inquire :

1. What are, east of Winnipeg, as far as Moncton, the different branch lines which the government, the Grand Trunk Pacific or the National Transcontinental Commission may construct from a fixed point to connect with the main line of the National Transcontinental?
2. What is the length of each of these branch lines?
3. What are the branch lines actually constructed?
4. What are the branch lines in course of construction, and what is the length already completed?
5. What are the branch lines authorized by law on which no work has been executed outside exploration or location operations?
6. Under what Act or section is the right to construct these branch lines claimed?
7. Are the three railways which the Quebec Bridge and Railway Company had the power to construct under section 4 of chapter 177, 3 Edward VII, considered or may they be considered as branch lines of the National Transcontinental?
8. Under what Act?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have a communication from the Railway Department to the effect that they

have both written and wired the general manager in Winnipeg to get the required information, but they have not yet received it, so the hon. gentleman had better let the inquiry stand.

Hon. Mr. LANDRY—It is fortunate there was not a town further off than Winnipeg ; it would take a longer time to get the information.

The inquiry was allowed to stand.

POSTAL LIFE INSURANCE COMPANY OF NEW YORK.

INQUIRY.

Hon. Mr. BAIRD inquired :

1. Has the Postal Life Insurance Company of the state of New York, U.S.A., entered into an agreement whereby it has taken over the assets and assumed the policy contracts and other obligations of the Provident Savings Life Assurance Society of New York?
2. What amount is on deposit with the government at Ottawa as security for the policyholders in the Provident Savings Life Assurance Society?
3. Has the Postal Life Insurance Company secured a license from the Dominion government to do business in Canada?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are :

1. A press bulletin issued by the Insurance Department of the state of New York on January 20, announced that official approval had been given to the consolidation of the Provident Savings Life Assurance Society and the Postal Life Insurance Company for the reinsurance of the former by the latter. The bulletin moreover states : As an extreme precaution, however, the department (New York) has insisted that the controlling stockholders and directors of the postal execute to that company an agreement whereby they become obligated to respond at any time to the extent of their fortunes to a departmental (New York) demand under section 86 of the insurance law to keep the combined company both solvent and unimpaired, as it now is. Among the directors so obligated are William H. Cooper, vice-president of the Siegel-Cooper Company, William H. Mendel and F. L. Sheldon, all of New York. The policy-holders of the combined companies thus have an additional financial guaranty.'
2. The deposit made by the Provident Savings Life Assurance Society with the Receiver General at Ottawa as security for the Canadian policy-holders amounts to $423,449 municipal securities.
3. No.

SALARIES OF QUEBEC JUDGES.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

Is it the intention of the government to correct, this year, by appropriate legislation, the error committed a few years ago in fixing the salary of the judges of the Superior Court of Quebec for the districts of Chicoutimi and Gaspé, when the salary fixed by law differed from that fixed by the resolutions on which was based the legislation adopted by parliament?

Rt. Hon. Sir RICHARD CARTWRIGHT —The Minister of Justice informs me that it would ill become the Minister of Justice to assert that parliament had committed an error in the legislation referred to, and the minister is not possessed of any knowledge in the matter other than is to be derived from the official records.

If any grievance exists which calls for redress it is in the power of parliament alone, and not of the government, to legislate in regard to it.

Hon. Mr. LANDRY—But it is the government alone that could introduce the measure.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not necessarily.

Hon. Mr. LANDRY—I think so, because it is a money Bill, and in the records of the department will be found a letter of Sir Charles Fitzpatrick, who was a judge of the Supreme Court, pointing out the error that was committed at that time. Parliament cannot make a mistake, but individuals who compose parliament may do so.

Rt. Hon. Sir RICHARD CARTWRIGHT —I entirely agree with my hon. friend in his last remark.

AMERICAN NON-COMS. IN QUEBEC CITADEL.

INQUIRY POSTPONED.

The order of the day being called,

By the Hon. Mr. LANDRY:

That he will call the attention of the government to the grave assertions contained in the following article published in the Montreal 'Star' of the 25th January instant, of which the following is the tenor:—

AMERICAN NON-COM. IN QUEBEC CITADEL.

No Special Spies needed to copy the Plans of the Fort as the Citadel is an open Book.

Whether Senator Landry was right that copies of the plans of the Citadel at Quebec had been made and sent to the United States authorities is true or not, the fact remains that the same authorities can have them any time they wish.

No system of espionage carefully prepared and carried out by specially picked men will have to be employed. There is a simpler method—get the plans from the American soldiers enlisted at the Citadel.

So long as United States citizens are allowed to enlist in the Canadian military service, so long will Canada be open to leakages in the respect to which Senator Landry has called the attention. of a betrayed country.

At the Citadel in Quebec, according to the story told to-day to 'The Star' by an ex-member of the force there are several United States citizens parading in the uniform of the Canadian militia.

One of these men has been a non-comissioned officer in the United States army and, up to six months ago, at any rate, was a non-commissioned officer in the Citadel at Quebec. This man was in a position where he might easily obtain and copy all the plans pertaining to the fortress and its defences, being in the service of one of the officers who had charge of this branch of the service.

'Is it likely,' asks the 'Star's' informant, 'that the United States would employ outsiders to do the work of obtaining what details and information they desired, when right in the regiment guarding the fortress there were at least two of their citizens posing as Canadians soldiers? Hardly.'

'The last time I saw the non-commissioned officer I have told you of,' said the ex-militiaman to-day, 'he was talking of returning to his native country and his own army. Perhaps his work at Quebec was done and his chiefs were calling him home.'

'But, is it possible for a citizen of the United States to enlist in the Canadian service and carry on such work as this?' the representative of the 'Star' asked.

'Of course it is, the way things are run. He perjures himself, of course, but what is that to a man engaged as a spy? He is usually an intelligent man and knows his gun work, so he soon gets on in the service. After a while, as was the case with the non-com., I have told you of, he soon got office work to do in the service of an officer whose duties brought him into close touch with the inspection of the fortifications. Of course, I could not say that this man actually did copy plans, but there was nothing to prevent his doing so had he felt inclined.

'The fort is an open book to any one who wants to see it in all its details.'

And that he will ask:

Is it the intention of the government to verify or to cause to be verified, but in as quiet a maner as possible, the exactness of the facts related in the above mentioned article, and to take the necessary steps suggested or required under the circumstances to remedy the evil if it has been committed or to prevent it, if it is yet time?

Rt. Hon. Sir RICHARD CARTWRIGHT—The department inform me that they desire that this matter be allowed to stand, as it has been necessary to call for a report from the officer commanding the Quebec command, which report has not yet been received. Perhaps it is snowed up at Coteau.

The inquiry was allowed to stand until Thursday next.

SALE OF MR. LANGELIER'S FARM TO THE GOVERNMENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

Has the government fixed a date after which Mr. Gustave Langelier, who has sold his farm to the government, would be at liberty to dispose of his herd as he sees fit?

Has this date expired? What is this date?

Has the government been notified by Mr. Langelier that the latter had found an opportunity to sell his herds, or part thereof, and what decision has the government arrived at in the face of such a declaration?

Where are actually located, since the government has become purchaser of Mr. Langelier's property, the animals possessed by the later on the farm which he has sold to the government?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

Under the terms of the purchase of the farm the government was given the first choice of the animals on the farm. The government has made its selection of the animals. The vendor has the right to dispose of the other animals as he sees fit, and also has the right to keep on the farm up to the 1st May next such of the animals as are not disposed of before that date.

Hon. Mr. LANDRY—I suppose that means at the expense of the government?

Rt. Hon. Sir RICHARD CARTWRIGHT —No; I should say he would have a right to keep it at his own expense.

PURCHASE OF CARRIER AND LAINE PROPERTY AT LEVIS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the object of the government in becoming the purchaser of the Carrier and Lainé property at Lévis?
2. In what manner did the government become the purchaser of the said property? Was it by purchase or expropriation?
3. If it was by purchase, from whom did the government purchase it? Was it from Carrier and Lainé? From the sheriff or from any other person or corporation?
4. Was the property sold by the sheriff?
5. Was the Minister of Public Works at Quebec or Levis on the day of the sheriff's sale?
6. Did he visit the property before its being put up at auction?
7. To whom was the Carrier and Lainé property adjudged.
8. For what amount?
9. To whom did the adjudicator resell this property?
10. For what amount?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. To obtain deep water wharfage.
2. By expropriation and mutual agreement.
3. From the Bank of Montreal.
4. Yes, to the Bank of Montreal.
5. Yes.
6. Yes.
7. To the Bank of Montreal.
8. $380,000.
9. To the government.
10. $380,000 and interest $13,628.

BILLS INTRODUCED.

Bill (K) an Act respecting the Hamilton Provident Loan Company.—Hon. Mr. Gibson.

Bill (L) an Act respecting the Pacific Northern & Omineca Railway Company.—Hon. Mr. Bostock.

Bill (No. 97) an Act to prohibit the improper use of opium and other drugs.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 47) an Act to amend the Immigration Act.—Rt. Hon. Sir Richard Cartwright.

DOMINION ATLANTIC RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (No. 53) an Act respecting the Dominion Atlantic Railway Company. He said: It is probably within the knowledge of hon. members that the Canadian Pacific Railway Company have entered into an agreement with the Dominion Atlantic, operating an important railway in Nova Scotia, for a long lease of the last company's lines to the Canadian Pacific railway. This Bill is for the purpose of ratifying that agreement.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (J) an Act to incorporate the Canadian Intermountain Railway Company.—Hon. Mr. De Veber.

Bill (No. 46) an Act respecting the Ottawa, Northern and Western Railway Company.—Hon. Mr. Belcourt.

Bill (No. 57) an Act respecting the London and Northwestern Railway Company.—Hon. Mr. Coffey.

Bill (No. 66) an Act respecting the Brockville, Westport and Northwestern Railway Company.—Hon. Mr. Jones.

Bill (No. 71) an Act to incorporate the Empire Life Insurance Company of Canada.—Hon. Mr. Jones.

GUARDIAN ACCIDENT & GUARANTEE COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. THOMPSON moved concurrence in the amendments made by the Standing Committee on Banking and Commerce to Bill (F) an Act to incorporate the Guardian Accident and Guarantee Company.

He said: The amendments made in the Bill are simply the addition of another clause stating that the Insurance Act of 1910 shall apply to the company.

Hon. Mr. POWER—I have not the good fortune to be a member of the Banking and Commerce Committee, but I assume that the Act of 1910 would apply to the company

without any special enactment. I should just like to ask the acting chairman of the committee if the opinion of the law clerk was that this clause was necessary?

Hon. Mr. THOMPSON—The opinion of the law clerk, as expressed at the committee, was that it was not required, but the opinion of the Minister of Justice was that it was required. When you get mixed up between these legal gentlemen with respect to a matter there is no harm in adding the clause.

Hon. Mr. BEIQUE—There is no question that this clause is not required, but the Finance Department have adopted a form of Bill in which this clause is to be found, and its object is to call the attention of all parties to the fact that the Insurance Act forms part of the charter of the company. It is a good provision; there can be no objection to calling attention to the fact that the Insurance Act forms part of the Bill instead of having to look to the Insurance Act to see if it does. The Insurance Department having adopted that form of Bill, it seems to be a good reason to have the clause inserted in all such measures.

Hon. Mr. DANDURAND—Not only has the Insurance Department adopted that form, but we have it in the model Bill.

Hon. Mr. THOMPSON—The Bill was presented to the committee practically as a model Bill, approved of by the Insurance Department.

The motion was agreed to.

The Senate adjourned until to-morrow at 2.30 p.m.

THE SENATE.

FRIDAY, February 3, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

MONEYS PAID BY DEPARTMENTS TO PICKARD & SONS, QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the Senate do issue for the production of a statement, showing, year by year, from the 1st July, 1896, to this date, the sums of money paid to O. Pickard & Sons, of Quebec, by the different departments of the government of this country.

The motion was agreed to.

MONEYS PAID BY DEPARTMENTS TO FITZPATRICK, PARENT, TASCHEREAU AND ROY.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the Senate do issue for the production of a statement showing, year by year, from the 1st July, 1896, to this date, the sums of money paid by the different government departments to the legal firm of Fitzpatrick, Parent, Taschereau & Roy, and thereafter successively to the continuers of this legal firm, until the last of them to-day before the public, under the names of Taschereau, Roy, Cannon, &c., or paid individually to any one whomsoever of the different members forming in the same time part of this legal association.

The motion was agreed to.

IMPORTATION OF REINDEER INTO CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. Does there really exist, on the north shore of the River St. Lawrence, an island called Meccitini, as is shown by a reply given by the government on the 12th January last, to a question on the subject of the importation of reindeer in Canada by Doctor Grenfell?
2. Where is it situated, giving the degrees of longitude and latitude?
3. Was not the island of Mecatina meant instead of the above-mentioned one?
4. Does the island of Meccitini or the island of Mecatina belong to Newfoundland or to Canada?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. The name is misspelled in the document quoted. One of the Mekattina islands usually spelt Mecatina by the Quebec authorities is meant.
2. The Mekattina island is in lat. N. 50 48', long. 58 52'. Little Mekattina island is in lat. N. 50 35', long. W. 59 20'
3. Yes.
4. To Canada.

BUTTER IMPORTS AND EXPORTS.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

1. What is the quantity and value of the butter exported by Canada to the United States during the course of last year?
2. What is the quantity and value of the importations of the same article from the United States for the same period?
3. What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. The quantity and value of butter (Canadian produce) exported from Canada to the United States during the fiscal year ended March 31, 1910, amounted to 1,103,837 pounds, valued at $199,854.

2. The quantity and value of butter entered for consumption in Canada from the United States during the fiscal year 1910 amounted to 61,081 pounds, valued at $16,163.

3. The duty collected on butter imported from the United States during the fiscal year 1910 was $2,443.24.

LIVE STOCK IMPORTS AND EXPORTS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the number and value of live stock exported by Canada to the United States during the course of last year?
2. What is the number and value of live stock imported by Canada from the United States during the course of last year?
3. What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. The number and value of live stock (Canadian produce) exported from Canada to the United States during the fiscal year ended March 31, 1910, was as follows:

	Number.	Value
Horses, one year old or less..	20	$ 6,215
Horses over one year old.. ..	1,886	446,971
Cattle, one year old or less..	1,797	23,679
Cattle over one year old.. ..	10,413	618,995
Swine..	205	6,088
Sheep, one year old or less.. ..	87,814	415,814
Sheep over one year old..	16,535	153,767

2 and 3. The number and value of live stock entered for consumption in Canada from the United States, together with the duty collected thereon, during the fiscal year 1910, was as follows:

	Number.	Value.	Duty.
Hogs..	2,760	$ 2,140	$ 41 40
Horned cattle.. ..	1,012	25,150	6,287 50
Horses, over one year old, valued at $50 or less...	86	3,600	1,075 00
Horses, n.o.p.. ..	6,518	397,903	99,475 75
Sheep	35,844	131,492	32,873 00
Animals, all other..		91,827	23,201 85

HAY IMPORTS AND EXPORTS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the quantity, in tons, of hay exported by Canada to the United States during the course of last year?
2. The value thereof?
3. What is the quantity, in tons, of hay imported from the United States into Canada during the same period?
4. The value thereof?
5. What is the amount of duty collected on these importations?

Hon. Sir RICHARD SCOTT—The answers to the hon. gentleman's questions are as follow:

1 and 2. The quantity and value of hay exported (Canadian produce) from Canada to the United States during the fiscal year ended March 31, 1910, was 86,127 tons, valued at $673,220.

3 and 4. The quantity and value of hay entered for consumption in Canada from the United States during the fiscal year 1910 was 7,680 tons, valued at $141,956.

5. The duty collected on hay imported into Canada from the United States during the fiscal year 1910 was $15,360.

BACON IMPORTS AND EXPORTS.

INQUIRY.

Hon. Mr LANDRY inquired:

1. What is the quantity of pork and bacon exported by Canada to the United States in the course of last year?
2. The value thereof?
3. What is the quantity of pork and bacon imported by Canada from the United States during the same period?
4. The value thereof?
5. What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions follow:

1 and 2. The quantity and value of pork and bacon (Canadian produce) exported from Canada to the United States, during the fiscal year ended March 31, 1910, were as follow:

	Pounds.	Value.
Pork..	51,637	$9,793
Bacon..	58,663	7,338

3, 4, 5. The quantity and value of pork and 'bacon and ham, shoulders and sides' entered for consumption in Canada from the United States, together with the duty collected thereon, during the fiscal year 1910, was as follows:

	Pounds.	Value.	Duty.
Pork..	8,900,138	$930,049	$178,002 76
Bacon and hams, shoulders and sides..	5,453,257	816,042	109,065 14

THE CARRIERE & LAINE PROPERTY AT QUEBEC.

INQUIRY POSTPONED.

Hon. Mr. LANDRY—I suppose the rt. hon. leader of the House has not obtained the information yet with respect to the acquisition by the government of the property of Carrière & Lainè?

Rt. Hon. Sir RICHARD CARTWRIGHT—I have a memorandum from the Secretary of State that he has called the attention of the departments concerned in this matter, and any further information that can be obtained will be produced as soon as possible.

THE SENATE DEBATES.

Hon. Mr. LANDRY—Before the orders of the day are called, I should like to know from the chairman of the Debates Committee if he has any information by telephone or otherwise about the delay in issuing the revised edition of our Debates?

Hon. Mr. COFFEY—Yes, I can supply the hon. gentleman with the information he requires. Perhaps from not knowing better, the Printing Bureau may be somewhat to blame in this matter. They have been delaying the work all along waiting for an English translation of the speech delivered on the Address by the hon. gentleman from Ottawa I have a letter from the King's Printer which I will read:

Ottawa, February 2, 1911.

Hon. Senator Coffey,
The Senate,
Ottawa, Ont.

Dear Senator Coffey,—The revised Senate 'Hansard' has been delayed by the fact that I have been unable to obtain the English translation of a speech delivered, in French, by the Honourable Senator Belcourt in the Senate on the 22nd of November.

Perhaps you might jog somebody's elbow and see that it is supplied.

Yours faithfully,
C. H. PARMELEE,
King's Printer and
Controller of Stationery.

I made inquiry about the matter from the translating staff, and here is their reply:

Ottawa, Feb. 3, 1911.

Sir,—With reference to the letter from the King's Printer which you handed me this morning, and, at your request, I beg to report thereon as follows:—

The translators of the Senate are appointed as French translators, that is to say, to translate English into French, as may be seen by the following schedule:—

Trudel, J. Boutillier, 1-B, chief French translator.

Bouchard, Joseph, 2-A, 2nd French translator.

Chapman, William, 2-A, 3rd French translator.

DeMontigny, Louvigny, 2-A, 4th French translator.

The English translator is Mr. Creighton:

Creighton, J. G. Aylwin, 2-A, law clerk of the Senate, parliamentary counsel, master in chancery, English translator.

His duties are to translate French into English.

Very few persons can do both translations. However, Mr. Lelièvre, 2nd clerk assistant, who is also French translator: Lelièvre, Simeon, 2-A, 2nd clerk assistant, French translator, has been performing the duties of English translator, owing to frequent pressure of work in Mr. Creighton's office.

To my knowledge, since my appointment, we have never been called upon to translate from French into English, except in the case of Mr. Lelièvre.

Yours respectfully,
J. BOUTILLIER TRUDEL,
Chief translator.

The Hon. T. Coffey,
Chairman Debates Committee.

The only thing that I can see to be done under the circumstances is to tell the Printing Bureau to go ahead, in case the hon. gentleman from Ottawa does not want his speech translated from French into English.

Hon. Mr. CLORAN—Do I understand the chairman of the Debates Committee to say that there is an English translator in this House to translate French into English?

Hon. Mr. COFFEY—Yes, Mr. Creighton.

Hoin. Mr. CLORAN—Has he the requisite knowledge to translate French into English?

Hon. Mr. COFFEY—I do not know; but I understand he has been fulfilling the duties well enough.

Hon. Mr. CLORAN—I am asking if he understands French well enough to translate it into English?

Hon. Mr. COFFEY—I believe he does.

Hon. Mr. CLORAN—Our French Canadian friends have had reason to complain in this matter; it is our turn now. When we undertake to speak one of the constitutional languages in this House, we find there is nobody to translate it into English. Our French Canadian friends do their best to accommodate the convenience of the House by speaking in the English language, a thing they are not obliged to do. It may happen that an English speaking member of this House may undertake to speak in French, and, from what we are told to-day, there is nobody to translate his speech into English. The English members have a grievance. I would love to hear an English member deliver himself in French. Some day or other I may do it myself for the edification of this House and our French members.

Hon. Mr. COFFEY—Mr. Creighton, I understand, is quite a competent English translator. If the hon. member from Ottawa (Hon. Mr. Belcourt) wishes to have his speech translated into English, I will delay the issue of the revised edition for the purpose; if not I shall instruct the King's Printer to proceed at once to issue the revised edition with that speech in French

Hon. Mr. POWER—The translator's letter, just read by the chairman of the Debates Committee, draws a line of distinction which should not exist. These translators are supposed to be familiar with both languages and should be, and I fancy are quite capable of translating French into English as well as English into French. These gentlemen have not been, during the present session, overworked. I gather from what the chairman of the committee reported as having been said by Mr. Bouchard, that four pages of the Debates would be a fair average day's work for a translator. There are two or three translators, and our Debates since the beginning of this session have not averaged more than three pages a day, so that one of the two might easily have overtaken all the translation from English into French that has to be done. Surely either one of them could have found time to translate this one speech from French into English. I do not think we should be called upon to appoint another translator for the purpose of doing that work. With respect to Mr. Creighton, his duties as chief English translator, I take it, are to make any necessary translations of Bills and official documents of that kind. I am no very particular friend of Mr. Creighton's, as the House probably knows, but I do not think that he is expected to do the work of translating the Debates. There are two regular 'Hansard' translators, and the second clerk assistant. Surely between them all they can turn out a translation of this, not very long, but rather interesting and important speech of the hon. gentleman from Ottawa.

Hon. Mr. COFFEY—In answer to what the hon. gentleman from Halifax has said, I wish to state that I made inquiry this morning on that very point. It is a very rare thing to find a French translator who is competent to translate French into English. I inquired from Mr. J. K. Foran of the House of Commons. He said he could do it, and he knew of only one other person who was able to do it. That is Mr. Bouchette of the Parliamentary Library. Since then I have learned that our second clerk's assistant is quite capable of doing it also. So that I think the hon. gentleman from Halifax is expecting too much of the present French translators when he asks them to translate French into English. That is not their business. They are appointed to translate English into French.

Hon. Mr. LANDRY—Since I have had a seat in this House, every year at the opening of the session we have almost invariably

had a French speech. The speech in moving the address is made by an hon. member in English and another hon. member in French, and every year we have had the revised edition in time. This year we are nearly three months in session, and we have not yet received the revised edition of the 'Debates' in English, because it is said that the first speech that was delivered in reply to the address from the Throne is not yet translated into English.

Hon. Mr. DANDURAND—I think I can answer the hon. gentleman. I have quite often seen the revised edition in English without the French speech having been translated.

Hon. Mr. LANDRY—The first year I came here, I made my speech in French as seconder of the address. My speech was published in the English edition in French.

Hon. Mr. DANDURAND—Mine also.

Hon. Mr. BELCOURT—I was not in the House when this question came up a few minutes ago; but it appears that I am the innocent cause of this trouble, and if this discussion has been occasioned by the very momentous question as to whether my speech delivered in moving the address is to be translated, I desire to say, as far as I am concerned, it is a matter of very little consequence to me whether it is translated or not. If it is the only thing standing in the way of having the revised edition published, my speech had better be laid aside. At the opening of the session I was asked to second the address, and I was told that I must do it in the French language, as the hon. gentleman who was going to move the address was to speak in English. The reportorial staff asked me if I was anxious to have my speech reported in French and I said I did not care. They said: 'If you speak in French we shall have to get somebody to report your speech' and somebody was got, and the next day I was handed five pages in English. This was supposed to be a verbatim report of my speech of the day before. I could not recognize the language of the speech, or any one thought I had expressed. On informing the reporting staff they said: 'We will get a French reporter who can take it from your dictation.' I had therefore, to deliver my speech, in my room, the second time, to a French shorthand writer from Hull, and that is how my speech is in the Debates in French, and evidently it has been the cause of one trouble after another. If I had known that the making of my speech over again in my room would have been the cause of delaying the translation for three months, I would not have done it.

BILLS INTRODUCED.

Bill (M) An Act respecting the Quebec, Montreal & Southern Railway Company.—Hon. Mr. Beique.

Bill (N) An Act respecting the Globe Printing Company.—Hon. Mr. Derbyshire.

THIRD READINGS.

Bill (No. 33) An Act respecting the South Ontario Pacific Railway Company.—Hon. Mr. McMullin.

Bill (No. 17) An Act respecting the British Columbia Southern Railway Company.—Hon. Mr. Bostock.

Bill (No. 31) An Act respecting the Guelph and Goderich Railway Company.—Hon. Mr. McMullen.

Bill (No. 18) An Act respecting the Kootenay and Arrowhead Railway Company.—Hon. Mr. Bostock.

Bill (No. 34) An Act respecting the Walkerton and Lucknow Railway Company.—Hon. Mr. McMullen.

SECOND READINGS.

Bill (No. 67) An Act respecting the Burrard, Westminster Boundary Railway and Navigation Company.—Hon. Mr. Bostock.

Bill (No. 82) An Act respecting the Kettle River Valley Railway Company, and to change its name to 'The Kettle Valley Railway Company.'—Hon. Mr. Bostock.

Bill (H) An Act respecting the Quebec and New Brunswick Railway Company.—Hon. Mr. Costigan.

MANITOBA AND NORTHWESTERN RAILWAY COMPANY BILL.

AMENDMENTS CONCURRED IN.

The orders of the day being called:

Consideration of the amendment made by the Standing Committee on Railways, Telegraphs and Harbours to (Bill 19), An Act respecting the Manitoba and Northwestern

Railway Company of Canada.—Hon. Mr. Beique.

Hon. Mr. POWER—At the request of the hon. gentleman from De Salaberry, I beg to move that the amendments reported from committee, and at the time explained by the hon. gentleman from De Salaberry, be concurred in.

Hon. Mr ELLIS—It is not a matter of very great importance, but I should like to know why the committee altered clause 2. The amendment which is proposed to the Bill does not, I presume, take away the right of the company to a terminus; but it does not give the company the powers as to a terminus, which the original Bill gave them.

Hon. Mr. POWER—The original clause in the Bill did not name specifically any two points. It was very indefinite; in fact there seemed to be some words left out. The committee have not altered the intention at all, but have made the meaning clearer.

Hon. Mr. CLORAN—Although this is a very simple Bill, it gave rise to considerable discussion in committee. It involves the principles on which railway legislation is dealt with in committee, and passed by this honourable House. The adoption of the Bill means a great deal to the public of this country, much more than appears on the face of it. In the past all parliaments, both federal and provincial, and I may say municipalities also, have favoured railway construction very much at the expense of the public. In the first place, they have done so in the way of construction. In the next place they have given railways the right to determine where stations may be built, and they have given railways the right to change the locations of their roads from one section of the country to another. That may have been necessary in the past, when Canada was nearly one vast wilderness. But it is time to call a halt in regard to these concessions by parliament to railway companies, I care not who or what they may be. Canada is now developing along lines which must be permanent, in the trade, commerce and welfare of the people. No haphazard—I might use the words—no blind legislation should be put through parliament for the sole benefit of a company. I have had the honour, in this House and elsewhere, to advocate the rights of the people in regard to the construction of railways, and this Bill brings the matter prominently before the people. Some thirty-one years ago a charter was granted for this road, and, I understand, it was never constructed. Small sections of it were built. Some eight or ten years ago, the charter was renewed and remodelled, and rights were given to this company to build their road through certain sections of a province in the Northwest—with what result? Surveys were made, pegs were put down, and lines were drawn, indicating that the road would be built through a particular section. Settlers flocked there from all parts of the country, assuming, as they had a right to assume, that the road would be built where it was located. They knew that parliament, when it granted a charter to the company, exacted certain conditions, among them that the road should be built on the location described in the Bill. The settlers took up lands along the proposed line, expecting the construction of the railway to be proceeded with in due course. With what result? They found that parliament, by an amendment to the charter, had given this same company the power to divert their line some twenty or thirty miles from its original location, leaving the people who had located in that section in good faith, without a road. Now, the company comes back to parliament asking to have the route changed, and, under this new legislation, surveyors were sent out during the season to locate another line

Again settlers flock in and take up land, with the same result as before—the line is again changed by another amendment to the charter. This company comes with an unreasonable request. It asks parliament to grant a right to build what they call a terminus at any point between A and B, and the distance between A and B may be anywhere from six to twenty miles. That is not fair to the people of the district. The company pretend to make a survey for a terminal station. They buy the land before this is done. Speculation begins and the company sell lots at probably one hundred per cent profit. They never build the station there; parliament

has given them the right to locate their station anywhere between Theodore and Insinger, and so people are fooled and deceived. That is not a condition of things to be sanctioned by Act of parliament, yet it is what we are doing by this Bill. The Bill in itself amounts to very little, but it is an attack on the principle which I advocate here to-day, the safeguarding of the rights and interests of the people. I am not opposed to the company getting their road as cheaply and favourably built as possible. I understand the difficulties under which railway companies labour in constructing their roads. I understand their financial difficulties, but understanding them does not drive out of my mind and conscience the fact that theirs is not the only interest to be considered; that we must safeguard the interests of the people at large. We have found companies that for no engineering reasons, for no difficulty of location, have given a village the go-by, simply because that village or municipality did not accede to the wishes or requirements of the company. Instead of building the line into or bordering on the village or town, the company build a mile or two outside the town, to the great inconvenience and expense of the population. It costs as much to prepare a horse and rig for a drive of a mile or a mile and a half as for a drive of ten miles. All that has been winked at by parliament. It is time that when a railway company comes here for rights, parliament should indicate those rights specifically, so that the people would know what was to be done. The present practice goes to show what legislation by committee means. It is an invitation to the hon. members who do not belong to the different committees to beware of Bills which are brought in and the titles simply read a second or third time and passed, without further consideration. There is a danger underlying such a system of legislation, to which the people of this country should not be subjected. It is now regarded as nothing short of a crime for any hon. member to challenge the decision of a committee. The committee has passed upon it and reported; therefore the House must accept it. I have always felt in my soul and conscience that the practice was wrong, and I feel it my duty to protest against it, and in the future I shall avail myself of the right to protest when I feel that measures which have passed the committee, very often by a single casting vote, are hurried through the House without due consideration. It is said that it is against the orders and rules of the House to allude to what has transpired in the committee. I could never understand the necessity for it, but I am now commencing to understand the meaning of it and, for some, the necessity of it. What transpires in the committee should be laid before this honourable House in all details ; all discussions of a Bill should be laid on the table, so that every member of the House would know what transpired in committee ; where perhaps they could scarcely get a quorum. If it is the rule of parliament not to allude to what transpires in the committee, I am against such a rule, and I hope I will live long enough to see the rule changed. I know it is difficult to alter conditions that have existed in the Senate for the last 30 or 40 years. It is hard for old ideas to give way to new ones; but I hope to see the day when there will be sufficient fresh blood in this honourable House to give way to the needs of the present generation, and not for ever base their judgment on what has been done in the past. I feel keenly on this matter, and take it seriously. I know that I may not have an echo at present in the minds of the majority of this honourable House ; but I feel that what I state here will find an echo general and deep throughout the country.

Hon. Mr. WATSON—I think the subject matter of the oration of the hon. gentleman is entirely out of place. If there is one place to discuss these matters, it is where the people can get some information. The hon. gentleman is discussing the changes in this Bill which give the right to the company to run a loop-line in a few miles from their main line, starting from Theodore or Insinger. I think that is a proper provision, because in that country there is great difficulty in building a road. That is practically Beaver Hills, and the company have a latitude of three or four miles, to start that road either from Theodore or Insinger.

I happen to know the territory and the difficulty of locating a line through Beaver Hills. It is a loop-line, and they are trying to shorten and improve the location of the line. They are asking to make connections some eight or ten miles further east than is laid down in the original charter. I know it will serve more people by the junction they now propose than the one previously suggested. Surely this House cannot discuss a Bill of this kind as intelligently as it can be discussed before the committee. Does the hon. gentleman suggest that we should bring a map in here? The hon. gentleman in his oration refers to the rights of the Senate. What are the rights of the committee? Perhaps the hon. gentleman should have delivered his oration to the Railway Committee. I think the course pursued by this House and the House of Commons as well, is the only intelligent way of proceeding, where counsel representing the companies and experts can be heard, and a map can be examined, and not on the floor of the chamber where members may make statements without, perhaps, a foundation in fact, that some terrible wrong is done in the district by changing the route. I know from the people of the territory itself that the company are asking for nothing but what is fair and just, doing no harm either to the municipalities or to the settlers in the district through which it is proposed to run. The terminal will serve more people by being at the point which is now suggested, which is almost a divisional line on the Canadian Pacific railway and Manitoba & Northwestern. Why this particular change should be made the subject of the oration which has now been given to us about unfair treatment of the people, is hard for me to understand.

The motion was agreed to.

PRINTING OF PARLIAMENT.

CONSIDERATION OF REPORT OF COMMITTEE POSTPONED.

The order of the day being called:

Consideration of the first report of the Joint Committee of both Houses on the Printing of Parliament.

Hon. Mr. WATSON.

Hon. Mr. COFFEY—I beg to move that the order of the day be discharged and placed on the orders for Wednesday next.

Hon. Mr. CLORAN—May I ask the hon. chairman of the Joint Committee on Printing, if, as printed, the report is complete or incomplete?

Hon. Mr. COFFEY—It is complete.

Hon. Mr. CLORAN—As a member of that committee, I find a certain motion which was made is not reported in the proceedings.

Hon. Mr. COFFEY—I have no knowledge of it.

Hon. Mr. CLORAN—Why was that excluded, and the report brought in as complete?

Hon. Mr. COFFEY—I was not in Ottawa when the committee met, and the report was placed in my hands to be presented to the House. I have asked for a postponement until Wednesday next, because it is customary to have these reports adopted by the House of Commons first.

Hon. Mr. CLORAN—I have no objection to the request of the hon. gentleman; but since he is not in a position to answer my question, I might inform him that, when the report comes up for consideration, I shall call attention to the fact that it is incomplete. A motion was made by an hon. member of the House of Commons and seconded by either an hon. member of the House of Commons or of the Senate, calling for certain information regarding moneys voted by parliament for certain purposes which would concern the House of Commons and the Senate. That motion was duly made and seconded, and unanimously adopted by the committee, and I am surprised to find that it is not in the report.

Hon. Mr. COFFEY—If the hon. gentleman will give me a memorandum of the matter I will inquire.

Hon. Mr. CLORAN—I refer the hon. gentleman to the secretary of the committee, who has all the minutes in his possession. I saw the chairman of the House of

Commons Committee, Mr. Bickerdike, this a.m., and he was under the impression that the matter to which I now allude, was incorporated in the report. Evidently he had not seen it, and he said the secretary had all the minutes of the meeting. It is a matter of some importance, especially as it was moved, and unanimously carried by the committee—moved by a very important member of the House of Commons, and I would like to have the attention not only of the Senate, but of the other House called to it.

Hon. Mr. COFFEY—I will look into the matter and have an explanation when the report is presented. The reason may be because Mr. Polkinghorne, the secretary, is ill.

The motion was agreed to.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, February 7, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (O) An Act respecting the Western Alberta Railway Company.—Hon. Mr. De Veber.

Bill (P) An Act to incorporate the Universal Life Assurance Company of Canada. —Hon. Mr. Coffey.

GRAIN BILL.

INTRODUCED.

Rt. Hon. Sir RICHARD CARTWRIGHT introduced Bill (Q) An Act respecting Grain, and moved that the Bill be read the first time. He said: In reference to this Bill, which, as the House will observe, is of considerable length, I may say that it has been found expedient to reprint the Act known as the Manitoba Grain Act, and likewise to incorporate with it certain portions of the Inspection and Sale Act. The portions which are new have been carefully marked in the margin for the information of hon. gentlemen, and the more material alterations will be found in part one, paragraphs 3 to 17, and also in the part called 'Offences and penalties' in the latter portion of it, marked 242, and others. This being a Bill of great importance to the Northwest, and indeed, generally speaking, it will be desirable that it should be in the hands of hon. gentlemen for some little time before it is proceeded with, and therefore, while I am about to introduce it, although the important alterations are comparatively short, I will be guided by the wish of hon. members of the House as to what day they would like the second reading to take place. It is more correctly speaking a reproduction of the Manitoba Grain Act, with the necessary emendations, which are slight, in the main body of the Bill.

The Bill was read a first time.

Hon. Mr. DAVIS—This is a very important measure, and it will take some time for us to read it and thoroughly understand it. It is a very large Bill and I should think probably that the members from the west, not only of this House, but of the other House, would have to get together and discuss the different features of the measure, and we cannot do that in a day or two.

Rt. Hon. Sir RICHARD CARTWRIGHT —Then I move that it be read the first time this day week. I may take occasion to observe that although it is a long Bill, that is caused by reason of its being a reprint of the Grain Act and the Inspection Act. The changes in the two Acts are very small and very few. The important portions of the Bill will be contained in two or three pages.

Hon. Mr. DAVIS—This Bill deals with the elevators?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

The motion was agreed to.

THIRD READINGS.

Bill (F) An Act to incorporate The Guardian Accident and Guarantee Company.—Hon. Mr. Casgrain.

Bill (19) An Act respecting the Manitoba and Northwestern Railway Company of Canada.—Hon. Mr. Watson.

DOMINION LANDS ACT AMENDMENT BILL.

INTRODUCED.

Hon. Mr. DAVIS moved the second reading of Bill (B) An Act to amend the Dominion Lands Act. He said: It is about time that we exact a little more work done from people who get free lands from us in the way of homesteads than they are doing at present. You will see by the provisions of the Bill, I ask that the Act be amended to require a homesteader to plant a certain number of trees. At the same time, I propose to relieve him of some other duties he has to perform in the way of cultivation. In the west, the value of lands has been rapidly increasing, yet the conditions on which those lands are homesteaded remain practically unchanged. Those conditions were framed eighteen or twenty years ago, when it was almost impossible to induce settlement in the west, and consequently the lands had little value. At that time a quarter section of land would hardly bring $50, and naturally we made the conditions of settlement easy for the settler. We simply asked him to erect a small house worth say $300 or less, and break up and sow a few acres of land, and then, after complying with the term of residence, we gave him a patent. In those days nobody took up land unless he wanted to live on it, because he could not borrow money to settle on it or improve it. We had then no loan companies doing business in the west, and when a man homesteaded a quarter section of land, we knew that he intended to make it his home, and so made it easy for him. But things have changed of late years, and land is now worth from $15 to $20 an acre, so that the homesteader can borrow money on it, and the result is there is a tendency to develop professional homesteaders—people who take up land and live on it for three winters in succession and then sell it. By doing so, they make more money than they could earn in any other way. It is, therefore, only reasonable to ask homesteaders to do a little more in the way of improvement than they are now required to do. Something should be done in the way of planting trees. Had we made tree planting a condition eighteen or twenty years ago, the prairie country would now be well supplied with trees. The homesteader who simply builds a fence and a small house may lose them by prairie fires, and if the land is not cultivated, it rapidly goes back to its original condition. But trees, when planted, will go on growing whether the homesteader remains on his land or not, and the country will get the benefit. The government have experimental farms and are supplying young trees to every one who wants them, and it is not unreasonable to require, in certain areas of the western country, where the land is valuable, that in addition to other improvements the homesteader shall plant a certain number of trees every year and look after them. The homestead inspector can see that the trees are properly planted and attended to, and the right number have been planted, before recommending that the patent issue. If this policy is adopted in the sections of the country yet to be settled, in a few years we will have trees throughout that prairie on every quarter-section homestead. They will grow rapidly, serve as windbreaks and help to keep the soil moist. There will be no trouble after that if they are protected from the prairie fires. I do not know what view the government will take of this measure, but I submit it for their consideration as a step in the right direction. Perhaps we might go further and ask for a little more improvement on the land. Another feature of the measure is that when the homesteader plants these trees and looks after them, the trees belong to him and are increasing the value of the homestead, and he derives all the benefit.

Rt. Hon. Sir RICHARD CARTWRIGHT —Would my hon. friend explain one point?

If the Bill in my hands is the Bill which he refers to, as I presume it is (Bill B), would he explain what the intention is? The Bill apparently diverges a little from the explantion which has been made by him. As I understand it, the Bill allows a man who has a thousand healthy trees to substitute those for half the cultivated area, and nothing more.

Hon. Mr. DAVIS—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—It does not compel the homesteader to plant a single tree.

Hon. Mr. DAVIS—The intention of the Bill is to compel him to plant the trees and reduce the amount he has to cultivate one-half—reduce it from 30 to 15 acres.

Rt. Hon. Sir RICHARD CARTWRIGHT—It does not, however, compel him to plant trees.

Hon. Mr. DAVIS—There must be a mistake in drafting the Bill, because that was my intention.

Rt. Hon. Sir RICHARD CARTWRIGHT—I will read the portion that he refers to:

'Provided that if an entrant for a homestead within any area, in any of the provinces or territories to which this Act applies, which has been selected and set aside by the Governor in Council upon the recommendation of the minister as suitable for tree culture, or in the event of the death of the entrant, his legal representative, proves, in the same manner as fulfilment of the other conditions of homestead entry have to be proved, as in this Act is provided, that at the date of his application for the issue of letters patent for such homestead, there are not less than one thousand healthy trees growing upon such homestead, which such entrant or his legal representative planted thereon, and each of which is then not less than one or two inches at its base, the same shall be accepted in lieu of one-half of the cultivation that would otherwise have to be proved to have been done to the lands comprising such homestead.'

But there is nothing at all compelling him to plant a single tree that I see. It is merely permitting the existence of a certain number of trees to go in place of one-half of the cultivation that was otherwise required. That appears hardly consistent with the statement made by my hon. friend in introducing his Bill.

Hon. Mr. DAVIS—My intention in having this Bill drawn was that the party who enters for a homestead would be compelled to plant that number of trees and look after them.

Rt. Hon. Sir RICHARD CARTWRIGHT—Perhaps we had better let the Bill stand over until my hon. friend sees that it is in proper shape to carry out his intention.

Hon. Mr. DAVIS—Then I move that the order of the day be discharged and that it be placed on the orders of the day for Tuesday next.

The motion was agreed to, and the order of the day was discharged.

SECOND READINGS.

Bill (K) An Act respecting the Hamilton Provident and Loan Society.—Hon. Mr. Gibson.

Bill (L) An Act respecting the Pacific Northern and Omenica Railway Company.—Hon. Mr. Bostock.

FORESTRY AND AGRICULTURAL COMMITTEE.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. EDWARDS moved the adoption of the second report of the Standing Committee on Agriculture and Forestry.

Hon. Mr. POWER—I think the hon. gentleman should explain a little further. The report of the committee appears at page 340 of our 'Minutes' and reads as follows:

Your committee propose to hold a series of meetings during the current session, beginning with Thursday next, the 9th instant, and to invite the presence at these meetings of experts who will read papers on subjects relating to agriculture and forestry.

To this end your committee recommend that a sum of money not exceeding $300 (three hundred dollars), be placed at their disposal for the purpose of defraying the necessary expenses.

The other day the House decided to appropriate $500 to the Committee on Public

Health, and in these days when our funds are limited, and when the financial stringency in connection with the Senate appears to be getting greater each year, we ought to be assured that this expenditure is absolutely necessary. We know that there has been a great deal of discussion and a great many papers have been printed, and others that have not been printed, have been read at various meetings in connection with the subjects of agriculture and forestry. I think the hon. gentleman should make it clear to the House that this committee is going to give us something fresh, something that has not already been given to the country.

Hon. Mr. EDWARDS—The Committee on Agriculture and Forestry was, I think, named some two sessions ago. Up to the present, that committee has done nothing practically but to report the organization of the committee each session. It has been finally decided, however, that very good and useful work can be done by inviting experts on agricultural questions to address the committee at various times during the session, and it has been determined, if the money is voted, to have at least five meetings of the committee, and two papers read at each committee meeting. At the end of the session, it is proposed to put these papers in pamphlet form and circulate them through the country. Then, next session to go on and take up another branch of agriculture, and later on, forestry, the object being finally to compile a book which will be a standard work on agriculture, as applicable to this country. A great deal has been done before the various committees in reading papers, &c. These papers, many of them valuable, afterwards disappear, and we hear nothing of them further than that they have been reported upon. The object of the committee is to establish a text book which will embody the most advanced practice in agriculture, and it is believed by the committee that this work will be a most valuable one. The reason for asking for a small amount of money is this: it is quite true that so far as the experts at the Experimental Farm are concerned, we can have their services; but we desire also to have the services of officers from, for instance, the Agricultural College in Guelph, from the MacDonald College at Ste. Anne de Bellevieu, and it is also suggested that we have gentlemen who do not belong to any college read papers. We cannot induce parties from these other colleges to come here on any other terms than having their expenses paid, and that is the object in asking for the grant of $300. We hope the sum required will be within that amount; but we thought it better to ask for what we thought would be reasonable to cover expenses.

Hon. Mr. POWER—Is this committee not in a great measure duplicating the work of the Agricultural Committee of the House of Commons?

Hon. Mr. EDWARDS—I do not think so. While the Agricultural Committee of the Commons may have done a great deal of useful work, I think it can be demonstrated that the outgrowth of what is suggested by the committee will perhaps be the most valuable work on agriculture that has ever been done in Canada.

The motion was agreed to.

BILLS INTRODUCED.

Bill (42) An Act respecting the Collingwood Southern Railway Company.—Hon. Mr. McMullen.

Bill (44) An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon. Mr. Beique.

Bill (54) An Act respecting the E. B. Eddy Company.—Hon. Mr. Belcourt.

Bill (72) An Act respecting the Georgian Bay and Seaboard Railway Company.—Hon. Mr. McMullen.

Bill (59) An Act respecting the Athabaska and Northern Railway Company.—(———.)

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, February 8, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SALE OF CATTLE TO THE GOVERNMENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How many head of cattle contained the herd which Mr. Langelier had on the farm which he sold to the government, giving in detail the kinds of animals and the number of each kind?
2. How many of each kind did he sell to the government?
3. What was the amount paid by the government for this purcahse?
4. Is the balance of the herd, which is to remain on the farm until the 1st of May next, kept at the expense of the government or of Mr. Langelier?
5. In the latter case, what is the amount paid by Mr. Langelier for the stabling and maintenance of his animals?
6. What is the price asked by Mr. Langelier for the whole herd?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Mr. Langelier had 18 head of horned cattle on the farm (Ayrshires) at the time of the sale. 17 females and one bull. Also 13 or 14 horses and a number of pigs.

2. The government bought 7 horses and 6 pigs.

3. $1,650.

4 and 5. All the horned cattle were sold to outsiders, as were the horses, other than those bought by the government, with one exception, before the middle of December last. All the pigs, other than those bought by the government, were disposed of to outsiders before the 1st January last. Mr. Langelier has the right to keep on the farm, at the expense of the government, the unsold horse up to the 1st of May next, but very likely before that date it will be bought by the government.

6. Mr. Langelier did not place any price on the whole herd.

INTERCOLONIAL RAILWAY SLEEPERS.

The notice of inquiry being called.

Hon. Mr. LANDRY inquired:

1. When does the government expect to obtain from its employees, and when does it think that it will lay upon the Table of this House, the documents with regard to the sleepers of the Intercolonial railway, whose production was ordered by the Senate on the 4th May, 1910, upon a motion made by the Honourable Mr. Landry?
2. Have the promised documents or the employees who ought to furnish them become more sleepy than the sleepers themselves?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to this question was given by the documents placed on the table yesterday.

GUARANTEE OF QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is it a fact that the Quebec Bridge Company, when Mr. S. N. Parent was president, obtained from the United States Fidelity and Guarantee Company a guarantee amounting to $100,000, in its favour, against the non-performance of the contract which obliged the Phœnix Bridge Company to construct the bridge?
2. When was this guarantee given?
3. After the collapse of the bridge, was a claim for the payment of this sum of $100,000 sent to the United States Fidelity and Guarantee Company?
4. What was the date of the collapse of the bridge?
5. When was the payment of this sum of $100,000 claimed?
6. Who claimed this payment?
7. And if the claim was not made, why?
8. If it was made, what was the result?
9. Has the government obtained anything from the guarantee company?
10. If not, why?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.

2. 28th July, 1904.

3. Yes.

4. 29th August, 1907.

5 and 6. Notarial claim was made on behalf of the Quebec Bridge and Railway Company on the 28th November, 1907. Claim on behalf of the government as assignee of the Quebec Bridge and Railway Company was made on the 30th November, 1909.

7. Answered by Nos. 5 and 6.

8. The Guarantee Company did not respond.

9 and 10. Whatever claim the government may have had against the Guarantee Company, when the property of the Quebec Bridge Company was taken over, was included in the settlement with the Phœnix Bridge Company.

EXPORTS AND IMPORTS OF POTATOES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the quantity of potatoes exported by Canada to the United States during the course of last year?
2. The value thereof?
3. What is the quantity of potatoes imported from the United States into Canada during the same period?
4. The value thereof?
5. What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

The quantity and value of potatoes (Canadian produce) exported from Canada to the United States during the fiscal year ended March 31, 1910, was as follows: 678,632 bushels, valued at $345,903.

The quantity and value of potatoes entered for consumption in Canada from the United States during the fiscal year 1910, was as follows, 215,228 bushels, valued at $179,849.

The duty collected on potatoes imported into Canada from the United States during the fiscal year 1910, was $43,054.60.

Hon. Mr. CLORAN—Would that include sweet potatoes? It does not distinguish between the varieties.

Hon. Sir MACKENZIE BOWELL—I think it is all under one head.

Rt. Hon. Sir RICHARD CARTWRIGHT —In the trade returns, I think sweet potatoes come in under a different head from ordinary potatoes. I am not quite sure about that.

Hon. Mr. POWER—They may come under the heading of Yams.

Rt. Hon. Sir RICHARD CARTWRIGHT —The sweet potatoe is a different article from the yam.

EXPORT AND IMPORTS OF WHEAT.

INQUIRY.

Hon. Mr. LANDRY inquired:

What is the quantity of wheat exported by Canada to the United States in the course of last year?
The value thereof?
What is the quantity of wheat imported by Canada from the United States during the same period?
The value thereof?
What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

The quantity and value of wheat (Canadian produce), exported from Canada to the United States during the fiscal year, ended March 31, 1910, was as follows: 1,856,181 bushels, valued at $1,883,647.

The quantity and value of wheat entered for consumption in Canada from the United States during the fiscal year 1910, was as follows: 54,964 bushels, valued at $55,139.

The duty collected on wheat imported into Canada from the United States during the fiscal year 1910 was $6,595.68.

EXPORTS AND IMPORTS OF CHEESE.

INQUIRY.

Hon. Mr. LANDRY inquired:

What is the quantity of cheese exported by Canada to the United States during the course of last year?
The value thereof?
What is the quantity of cheese imported from the United States into Canada during the same period?
The value thereof?
What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

The quantity and value of cheese (Canadian produce) exported from Canada to the United States during the fiscal year, ended March 31, 1910 was as follows: 154,490 pounds, valued at $23,995.

The quantity and value of cheese entered for consumption in Canada from the United States during the fiscal year, 1910, was as follows: 215,681 pounds, valued at $45,287.

The duty collected on cheese imported into Canada from the United States during the fiscal year 1910 was $6,470.43.

EXPORT AND IMPORT OF OATS.

INQUIRY.

Hon. Mr. LANDRY inquired:

What is the quantity of oats exported by Canada to the United States in the course of last year?

The value thereof?
What is the quantity of oats imported by Canada from the United States during the same period?
The value thereof?
What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

The quantity and value of oats (Canadian produce), exported from Canada to the United States during the fiscal year, ended March 31, 1910, was as follows: 1,285,660 bushels, valued at $534,680.

The quantity and value of oats entered for consumption in Canada from the United States during the fiscal year 1910, was as follows: 23,361 bushels, valued at $13,833.

The duty collected on oats imported into Canada from the United States during the fiscal year 1910, was $2,336.10.

CARRIERE & LAINE PROPERTY QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. At the time of the sale by the sheriff of the Carrier-Lainé property who represented the interests of the government who wished to obtain this property for the construction of a deep water wharf?
2. Was it the Minister of Public Works himself?
3. If it was not him, what other person?
4. Did somebody bid on behalf of the government?
5. Who was the bidder, and for what amount?
6. If the government, through the Minister of Public Works, an authorized agent, or any other person, did not attempt to purchase this property when it was put up at auction, how can it explain such an abstention, especially in face of the fact that it subsequently became the purchaser of the said property?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Nobody.

2, 3, 4 and 5. Answered by number 1.

6. At the time of sale, it was not decided by the Department of Public Works, what property should be acquired for the deep water wharf.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. On behalf of what department did Mr. Jos. Vien, of Lévis, advocate, act in the transaction which accompanied the purchase of Carrier-Lainé property in Lévis?
2. Was he the agent of the Department of Justice, of the Department of Public Works, or of both?
3. At what date was he authorized to act on behalf of the government?
4. What amount did he claim for his services?
5. What amount did he receive?
6. Is it a final payment?
7. At what date was Mr. Vien paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Department of Justice.

2. So far as the Department of Justice is aware—as agent of that department alone.

3. December 17, 1908.

4, 5 and 6. The amount to be paid Mr. Vien is still under consideration.

7. He has not yet been paid anything on account of his services.

IMPORTS AND EXPORTS OF EGGS.

INQUIRY.

Hon. Mr. LANDRY inquired:

How many eggs, by dozens, were exported by Canada to the United States in the course of last year?
The value thereof?
What is the quantity of eggs imported by Canada from the United States during the same period?
The value thereof?
What is the amount of duty collected on these importations?

Rt. Hon. Sir RICHARD CARTWRIGHT —The quantity of eggs exported (Canadian produce) from Canada to the United States during the fiscal year ended March 31, 1910, amounted to 35,732 dozen, valued at $11,551.

The quantity of eggs imported into Canada from the United States during the fiscal year 1910, amounted to 750,476 dozen, valued at $177,577.

The duty collected on eggs imported into Canada from the United States during the fiscal year 1910, was $22,514.28.

ABSENCE OF LIEUT.-GOV. PELLETIER.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House:—Copy of the order in council extending, for a period of two months,

the leave of absence already obtained by Sir Pantaleon Pelletier, together with copy of all the correspondence on the subject between the government, His Honour the Lieutenant Governor of the province of Quebec, and the present administrator of the said province.

The motion was agreed to.

PAYMENT TO GENDRON & HUDON.

INQUIRY.

Hon. Mr. LANDRY inquired:

What is the name of the government agent who gave, on behalf of the latter, a cheque for $10,000 to Messrs. Gendron and Hudon, for the purchase of their properties at Ste. Anne de la Pocatière?

When was this payment made?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. L. A. Dupuis, notary public.

2. Two cheques were mailed to Mr. Dupuis, N. P., on the 21st December, 1910, one for $5,800, to the order of L. A. Dupuis and Georges Hudon, and the other for $4,200 to the order of L. A. Dupuis and Antonio Gendron.

THE CANADIAN NAVY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. From what date has the cost of maintenance of the 'Niobe' and 'Rainbow' been in charge of the government?

2. What number of days were taken up by the voyage of the 'Niobe,' from the time she sailed from England until her arrival at Halifax?

3. What number of days was taken up by the voyage of the 'Rainbow' from her departure from England until her arrival at Esquimalt?

4. What was the cost of each of these voyages?

5. Were these two ships manned by Canadian or English crews on their voyage to Canada?

6. If they were manned by English crews, have they been replaced and have they returned to England at the expense of Canada?

7. What was the cost of the return trip?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follow:

1. From date of commissioning, 'Niobe' 6th September, 1910. 'Rainbow' 4th August, 1910.

2 and 3. These two ships had received instructions before leaving England not to go at a greater speed than about 264 knots per day.

4. First supplies of provisions, stores, &c., were made by the Admiralty through the High Commissioner. A statement of the cost is not available at present, no report having yet been received from the High Commissioner.

5. As far as possible officers and men of Canadian birth were obtained, the remainder of nucleus crew being made up by English.

6. No; they will be replaced as soon as Canadian officers and men are available to relieve them; it is necessary to maintain the nucleus crew for instructional purposes.

7. Answered by No. 6.

BILLS INTRODUCED.

Bill (No. 55) An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Gibson.

Bill (No. 61) An Act respecting the Pontiac Central Railway Company.—Hon. Mr. Campbell.

Bill (No. 63) An Act to incorporate the British Columbia & Dawson Railway Company.—Hon. Mr. Bostock.

Bill (No. 70) An Act respecting the Canadian Western Railway Company.—Hon. Mr. De Veber.

Bill (No. 73) An Act respecting the Grand Trunk Pacific Branch Lines Company.—Hon. Mr. Watson.

TRANSLATION OF SENATE DEBATES.

MOTION.

The order of the day being called,

Resuming the adjourned debate on the motion of the Hon. Mr. Coffey for the adoption of the second reading of the Standing Committee on Debates and Reporting of the Senate; and the motion in amendment of the Honourable Mr. McMullen, that the said report be not now adopted, but that it be referred to the Standing Committee on Internal Economy and Contingent Accounts of the Senate.—(Hon. Mr. Watson.)

Hon. Mr. WATSON—When this matter was before the House a few days ago I moved the adjournment of the debate, not for the purpose of entering into a particular discussion on the subject, but to give the chairman of the committee an opportunity of looking into the matter more fully. Since then I have inquired as to the cost of translation and the amount of work performed by the translators. In the early days of the publication of a French edition

of our Debates, the work was done by contract at $1.50 per page. I find that the Debates of 1907-8 contained, without the index, 1740 pages, which cost for translation $2,610. The Debates for the session of 1908-9 contained 758 pages, and the translation cost $1,137. I am also informed that when the work was done by contract the contractor had a sufficient staff to do the work, and it was well done. Since we have undertaken to employ a translation staff for the Debates, paying them by salary, it cost, last year, $4,100. This year the salaries will reach $4,200, whereas if the work had been done by contract, the cost would be about $1,200, and the work would have been done in a prompt and satisfactory manner. But it seems that it is now necessary to employ a third translator, which will bring the expense up to some $6,000. If such a staff is considered necessary, we had better go back to the old system of having the work done by contract. We are informed that a translator's work for a day runs from three to eight pages of translation. Up to the present time our Debates have not amounted to more than 185 pages, though we have been in session for between two and three months. Surely there is no occasion for employing an additional translator to assist the two translators we have at the present time. But I am informed that the translators are now translating the unrevised and not the revised edition, because we were informed the other day that the revised forms were held up on account of a French speech delivered at the opening of the session. The revised edition of the Debates has not been printed or distributed, and the translators are apparently working on the unrevised issue. I simply desire to lay the figures before the House, and as this statement can be borne out by facts, we should go back to the old system and do our translating by contract.

Hon. Mr. LANDRY—Can the hon. gentleman say why we abandoned the old system to adopt this one?

Hon. Mr. WATSON—My recollection of why it was done is, because a report was made that the work could be done better and cheaper by having a permanent translator to attend to it. Afterwards, we appointed two translators, and it is now suggested we should appoint a third. I think that is the mode of procedure to be adopted by the House on the recommendation of the committee.

Hon. Mr. LANDRY—Is the hon. gentleman asserting facts, or guessing?

Hon. Mr. WATSON—I am not guessing. The hon. gentleman is aware that the work was done by contract at $1.50 a page.

Hon. Mr. LANDRY—I am asking why?

Hon. Mr. WATSON—If the hon. gentleman will look up the Debates and ascertain the number of pages, he will find that I am correct.

Hon. Mr. LANDRY—I want to know why we abandoned the old system to adopt this new one?

Hon. Mr. WATSON—I was not a member of that committee, and I am not aware of the reasons why they recommended the change. I am explaining the report of the Debates Committee to the House, which the House adopted. I do not know what was in the minds of the members of that committee.

Hon. Mr. CLORAN—The hon. gentleman has not explained the fact that the present translators, as I said on a previous occasion, and as was proved by documents last year and the year before, are doing from 25 to 30 per cent more translating than the translators in the House of Commons. Has the hon. gentleman taken pains to find out if that is true?

Hon. Mr. WATSON—The Debates are here.

Hon. Mr. CLORAN—When this report was submitted to the Senate, I asserted that the translators of the Senate staff were doing more work than the translators of the Commons by about 25 per cent. If that is the case, the reform should begin in the House of Commons.

Hon. Sir MACKENZIE BOWELL—We have nothing to do with that.

Hon. Mr. LANDRY—The hon. gentleman has not stated when the system of letting

the translation by contract ceased and the translation by a permanent staff was adopted. It wil be important to find that out.

Hon. Sir MACKENZIE BOWELL—The gist of the whole question has been very clearly pointed out by the hon. gentleman from Portage la Prairie. The question asked by my hon. friend on my right I think might be answered by a reference to the Journals of 1899, on pages 74 and 75. At that time, the Standing Committee on Debates and Reporting made the following report, which was presented by the late Senator Bellerose:

> That as the cost of translating the Senate Debates into the French language under the present system of paying a sum per page was for 1897, $1,292.50, and for 1898 will be $1,733.75, making for the two sessions a total of $3,026.25, your committee are of opinion that it will promote economy and will also, as far as possible keep the translation along side the English report during the session, if an additional French translator was placed on the permanent staff of the Senate, whose duty it would be to do all the translating, proofreading, revising and attending to the printing and the translation of the Debates, he to be under the control and direction of the Clerk of the Senate, and to do such other work as he may require him to do. Your committee recommend that Mr. Jos. Bouchard, of Ottawa, be appointed to such position of an additional French translator, and that the salary be placed at $1,200 per annum, if he performs his work satisfactorily to the committee, and that for the current year it be only $1,000, and that his appointment date from the commencement of the present session. All of which is respectfully submitted.
>
> JOS. H. BELLEROSE,
> Chairman.

This, I think, gives the reason why the change was made. As the hon. gentleman has pointed out, when the work was done by contract this volumne, containing 1367 pages, was done by contract, and cost the country $1,733.75. Instead of an economy being affected, as was anticipated by the committee, and as pointed out by the report which I have read, the volume of last year contains 745 pages, and cost the country no less than $4,000. That is the economy which was effected by the changing of the system from contract to permanent officers. Now, the proposition is to place another translator upon the permanent list, and if they have an additional translator to assist them in producing a volume this year, perhaps much smaller than the one of 1899, I suppose it will cost $6,000 to $7,000, because they have evidently to aid and assist each other in doing nothing. That is the only conclusion I can come to. I do not wish to be understood as finding fault with any desire which the committee may have to procure not only a correct, but a rapid translation of the 'Debates' of this House in order that our French senators may be enabled to read the 'Debates' in their own language, but I must confess that I cannot understand, when we look at the past and what has been accomplished, and what is to be done in the next year, that we should add another translator. I can understand that probably the cost attending the translation or the work which has been performed would be a little more than it was in 1899; but there certainly cannot be any valid reason given why this small volume of a little over 700 pages should cost the country about $4,000, when the larger volume that I referred to, under the contract system cost us only $1,700 odd. I am quite satisfied that the chairman of the committee who has made this report and the recommendation, has not fully investigated the result which followed the adoption of the present system as compared with that under the old system. I cannot conceive it possible that if he had taken the trouble to compare the results he would have made this report. Why not go back, as has been pointed out by the hon. gentleman from Portage la Prairie, to the old system if we desire at all to conduct our business upon I will not say economical principles, but upon business principles, which any private individual would do? In connection with this matter, I think we are too prone of late to increase our staff unnecessarily, not only in the translation branch, but in other departments. I might point out individual cases which, however, I will not trouble the House with, because every senator knows as well as I do that clerks and others who are not required have been added to our staff at pretty high salaries. I put it plainly, so that I will not be misunderstood. I could point out what the duties of the clerks were supposed to be and what they really are, but this knowledge is possessed by every senator, and while the other House, and the Public Accounts Committee of that House, have as-

sumed the right and have taken upon themselves the responsibility of investigating our accounts, and asking for our vouchers, is it not about time we began to pursue a different course to avoid placing ourselves in a position to be successfully attacked by those who like to ridicule the Senate and try as far as possible to depreciate its value to the country ?

Hon. Mr. POIRIER—While agreeing in principle with what has been said by my hon. friend from Portage la Prairie, and the hon. gentleman from Hastings, that economy is a matter which we had better consider, I beg to suggest that possibly this question of translation has not been accurately put before us, not with a view to misleading the House, but because my hon. friend from Portage la Prairie is not exactly seized of the whole gist of it. The idea of farming out the translation of our Debates appears to me preposterous. The translation of the Debates, whether from French into English, or English into French—in this case from English into French—must either be left undone or be done properly. No doubt if it is farmed out, people can be had who will daily produce an output—I will use that term—of from three to eight pages per day; but what sort of work will it be? I have some knowledge of what was done in the year 1898, and that translation is not very commendable. It could not be, and why? It takes a life apprenticeship to be a competent translator. They are doing some of that work in the other House. They have on the list there from 25 to 100 extra translators. Three-forths of that translation, done by translators appointed on the recommendation of ministers, is not at all acceptable. It has to be done over again by the staff. Much of it goes into print in language that is not creditable to the orators of the other House. If we are to farm out our translations from English into French, I will vote for the abolition of the French edition, because such translation, purporting to be French, will necessarily be what we call 'Mic-mac French.' It cannot be otherwise. I for one regret the increase in the cost, but the situation is anomalous, and whether we leave the work as it is, with two translators, to which I would have myself no objection, or whether we endeavour to have the French text ready for the Printing Bureau at the same time concurrently with the English, we must have competent translators to do it or none at all. The translation is costly, no doubt, but I think a sum of $4,000, to uphold the right of the French people to have the two languages on an equal footing, is not so extravagant after all.

Hon. Mr. LANDRY—I think we are quite beside the question. The motion before the House is the adoption of the report of the Debates Committee, and the amendment is the reference of that report to the committee on Internal Economy. We have to vote in one way or the other. I submit that the amendment should be voted down. Why? Because if we refer the report of the Debates Committee to the Committee on Internal Economy, we must adopt the conclusion of that report, and compel the Clerk to do precisely what the Debates Committee has done—suggest to the Speaker the necessity of having an additional translator. I do not think the Committee on Internal Economy has that duty to discharge. Therefore the report should not be referred to the Internal Economy Committee. The proper way to act is indicated by subsection 2 of section 23 of the Civil Service Act, which says that when temporary employees are required we should have a report from the Civil Service Commission. If there be any such report, it must have been obtained since this question was up before.

Hon. Mr. COFFEY—We have it now.

Hon. Mr. LANDRY—With that report, the Clerk of the House could make a suggestion to the Speaker, and the Speaker make a recommendation to the House which the House could act upon. Should the House decide to refer this report to the Committee on Internal Economy, it can be done then. We are going out of our way discussing the merits of the report; but if we should do so in speaking of the cost of the edition, I ask how does it compare with the cost of the English edi-

tion? The contract for publishing the English edition amounts to $10,000.

Hon. Mr. POWER. But the hon. gentleman must remember that that includes the cost of reporting, which is the important feature.

Hon. Mr. LANDRY—That is not an answer to my argument. You must take the two books as they come before us, and we find one edition costs $10,000 and the other a little over $4,000.

Hon. Mr. POWER—The hon. gentleman must see that the French version must pay its share of the cost of reporting. The reporters work goes into the French version as well as into the English version.

Hon. Mr. LANDRY—If there was no translation, who would share that?

Hon. Mr. POWER—We should not be listening to my hon. friend's able speech then.

Hon. Mr. LANDRY—I am speaking in English, and I do not want the French population to be charged with the cost of reporting my speech. I shall vote against the amendment.

Hon. Mr. COFFEY—I was surprised when the hon. gentleman from Portage la Prairie brought up the question of having the work of translation done by contract. All of us who have had business experience know very well what kind of work is produced on the tender plan.

Hon. Sir MACKENZIE BOWELL—A competent man was appointed and given so much per page for doing the work.

Hon. Mr. COFFEY—If we are to do the translating that way, why not treat our reporters the same way?

Hon. Mr. MITCHELL—I understand we are doing that now.

Hon. Mr. COFFEY—If you call for tenders, you may get cheaper men.

Hon. Mr. YOUNG—The hon. member from Portage la Prairie called attention to the increase of expenditure.

Hon. Mr. COFFEY—I do not know that it can be called an increase of expenditure. The old system was followed when we had three month sessions. Since that time we have had sessions of six and seven months, and the work has been doubled.

Hon. Mr. WATSON—I took the last two issues of the Debates under the old system to compare the expenditure under the two systems.

Hon. Mr. COFFEY—If you go back to 1906 and 1907, what kind of volumes did we have then? They were much larger.

Hon. Mr. WATSON—I simply called attention to the fact that if the work this year were done under the old system, the cost would have been about $1,200, instead of $4,200.

Hon. Mr. COFFEY—But if you go back to the Debates of 1906 and 1907, when the volume was so much larger, the cost would have been a great deal more.

Hon. Mr. YOUNG—If the Debates are smaller now, why do you want more men?

Hon. Mr. COFFEY—It is a new experience for me to be quoting from law books. When I handle one of them, a degree of misgiving comes to me, because I feel that members outside of the profession are wandering in what is to them an unknown world. I have been tempted to write the experience of a member of the fourth estate in the tangled underbrush of law books. Argument may be advanced to prove that this appointment belongs to the Committee on Internal Economy. I cannot arrive at any other conclusion than that such a claim travels beyond the prerogatives of that body. It has never been disputed that to the Committee on Debates and Reporting belongs the appointing of Senate reporters. That committee also arranges the amount of compensation given for the work. This has never been disputed. If the committee of which I have the honour to be the chairman has the power to appoint reporters, why attempt to deprive them of the power to appoint translators? Surely it will be recognized that both are in the same class. Now, I pin

my faith to the law governing the Civil Service Commission, Cap. 15, sec. 23 of 1908. which provides that :

1. When from a temporary pressure of work extra assistance in excess of those whose names are on the list of such successful competitors is required in the inside service of any department, the Governor in Council may, upon the recommendation of the head, based on the report in writing of the deputy head of the department that such extra assistance is required, authorize the employment of such number of temporary clerks as are required to carry on the work of the department.
2. Every such clerk shall, however, before appointment obtain a certificate of qualification from the commission, to be given with or without examination as is determined by the regulations of the commission, that he possesses the requisite knowledge and ability, and is duly qualified as to age, health, character and habits.

I read for hon. gentlemen the other day, a letter from the Civil Service Commission, in which they stated it was not necessary to refer this matter to the Commission, that we could make the appointment without doing so. Objection was raised because the statute clearly states that the certificate must be granted. I may say to you now that a certificate has been granted; I have seen it, and that certificate certifies that Mr. George Morrisette possesses the requisite skill and ability, and is duly qualified as to age, health, character and habits for temporary employment.

Rt. Hon. Sir MACKENZIE BOWELL—By whom is that signed ?

Hon. Mr. COFFEY—I have not the original document, but it came from the Commission this morning. In view of the facts I stated the other day about the delay in the work, I think the appointment should be made. I mentioned the number of years in which the French edition of the Debates has been behind, and there has been dissatisfaction about the work of translation. In order that the complaints may be put a stop to, the committee ask in this report to add a small sum to have the French translation of the Debates made more promptly and not delayed for a year or more. It is in your hands. If this report passes, I hope to see at the end of the session no more complaints from the French members in regard to the tardy issue of the French Debates.

Hon. Mr. CAMPBELL—It is only right if we are to have the Debates translated into French, that the work should be done promptly and in an efficient manner. It is just as important that the French version should be perfect as to have the English edition perfect; but after what has been said by the hon. member from Belleville (Hon. Sir Mackenzie Bowell), and also by the hon. member for Portage la Prairie (Hon. Mr. Watson), I cannot understand how in the name of all that is good and great, this committee could bring in such a report. I understand that this man was appointed on the 5th December, and commenced work then.

Hon. Mr. COFFEY—He reported for duty on the 5th of December, but did not commence work until the 11th of January.

Hon. Mr. CAMPBELL—Does his salary commence on the 5th of December ?

Hon. Mr. COFFEY—No, not until the 11th of January.

Hon. Mr. CAMPBELL—That is not so bad. When the House met in November, it sat for about eight days, and the work of translation during that period could not have been heavy. Then we had a recess for six weeks, during which it seems the men could not keep up with the work. My opinion is that we should discharge these two translators and get one good man who would do all the work required. After the statement made that translation of much larger volumes of the Debates cost about $1,700, whereas the cost under the present system is $4,200, and is likely to increase to $6,000, it is our duty, if we wish to save expense to the country, to put a stop now and for ever to this scandalous work.

Hon. Mr. CLORAN—I understand the hon. gentleman from Portage la Prairie to say that the Debates for the session of 1907-8 cost about $1,700 under the contract system. Does he hold to that statement yet?

Hon. Mr. POWER—I think it was the hon. member from Hastings who made that statement.

Hon. Mr. CLORAN—The hon. member from Portage la Prairie held up two volumes as the Debates for two years. Now, I hold in my hand the Debates for 1907-8, and I find that the translation of the speeches cover 1844 pages, and the index 140 or 150 pages. I am afraid that the hon. gentleman knows so little French that he could not tell which was the first and which was the second volume. I am sorry that he is not here, but I cannot let the Senate remain under the impression that work of this kind was done for the paltry sum and the incorrect figures he mentioned. Now, here is a volume which would have cost under the old system over $3,000. Translators, at that time under salary, were paid $1,800. The rate has been increased since then, and one translator gets $2,000 and the other $2,050, and there will be an increase this year, bringing the total up to $4,200. There is quite a difference between the statement of facts which I am making and the statement of fiction as presented to this House. The Senate should also bear in mind that work which could be obtained at a certain rate twelve or fifteen years ago could not be had at the same price to-day. As the chairman of the Debates Committee has said, any one who knows anything of literary business must know that the product of the brain is getting a little of its due to-day, just as well as the product of the factory, or any other manual labour, and it is about time that the Senate should recognize the value of intelligence and not have it put on a level with ordinary every-day labour that can be hired from $1.50 to $3 a day. Ten or fifteen years ago labourers had to work longer hours and for less pay than at the present time. The House is asked to place brain work on a lower level than ordinary manual labour. This House is asked to fix an antidiluvian value on intellectual work. It is not fair. I quite agree with the hon. gentleman from Acadia (Hon. Mr. Poirier) that the work of translation which was done by contract was not in consonance with the literary dignity of this parliament. Surely we ought to have some respect for our literary reputation. At least we should not have it go out in black and white as one based on ignorance. The French translation of the past, we are told, was a disgrace. It is true that parliament gave the translation of the Debates to a certain party who might have been a coal dealer, a real estate agent or a dry goods merchant, so far as the work was concerned. He received $1.50 per page, and hired poor starving students or poor starving newspaper men—because in those days reporters got $7 or $8 a week, while to-day they are getting $15, $25 and $30 a week—at 75 cents per page, pocketing a profit on their work, just the same as manufacturers do who get clothing made in sweat shops. This man, engaged by parliament to do the work of translation, having say a thousand pages to translate, would receive from parliament $1,500, and probably would get the work done in a slip-shod manner for half that amount, making a profit on the work of others. We are seriously asked by certain hon. gentlemen to return to the old state of affairs. I protest, jointly with the hon. gentleman from Acadia, who had his convictions on this matter, and with the hon. gentleman from Stadacona, and I would like other senators to have the courage of their convictions and demand of this House full respect for their rights. The argument put forward by the hon. member from Portage la Prairie (Hon. Mr. Watson) based on the figures he mentioned, cannot hold water. The session of 1907-8 was not the longest in the history of this House. We have had sessions extending to eight and nine months, and the reports contained not in one volume, but in two very large volumes, so the argument based on the statement that the work could be done under contract for one-third less is not in accordance with facts. At the old price, the volumes of 1907-8 would have cost over $3,000, and the last hundred pages is work that cannot be done by any ordinary man. The index involves not weeks, but months of labour. It is no small matter to go through 2,000 pages of this work, and index it properly as it is indexed here to-day. Why not give the men who do this literary work credit for their labour? This hundred pages at the end of the second volume would cost any hon. gentleman, who would give it out to a professor of a university to do it properly, anywhere from seven hundred to a thousand dollars, and that has to be

added to the cost of the work itself. These being the conditions under which the present work is being done, I cannot for the life of me see why hon. gentlemen, who are prepared to vote millions and millions for objects which are of less benefit to the community, will object to the paltry sum of $4,000 for the honour of this Senate, and for the guarantee of the French language when the rights of the French people have to be maintained. I can understand it from only one point of view, that it is ignorance of a condition of things not in sympathy with the people whom this book represents. I hope it is not true. I hope it is due to a want of knowledge of facts, and I completely endorse the attitude by the hon. senator from Stadacona in regard to the question before the House, that this amendment that the report be referred to the Internal Economy Committee, which would only be a half decent burial, should be voted down unanimously by this House and the matter left in the hands of the proper committee. The committee may have erred in procedure in not presenting the report through the proper channel to the House, instead of laying it on the table and have it go to the Clerk, who would refer it to the Hon. Speaker, and then the Hon. Speaker would refer it back to the House, which I think would be the proper course under the Civil Service Act. It is only an error in procedure; but for an error of that kind, are we going to jeopardize the rights of the French Canadian people and of the men on our staff? I say no, and once the amendment is voted down, if the Hon. Chairman says that it is necessary for him to take the other course and have the report referred to the Clerk of the House, to be referred by him to the Speaker and then the Speaker to make his report to this House, let that be done; but, as a question of principle, I hold, in the face of this honourable House, and in the face of the country, there is no extravagance in this matter of $2,000 a year salary to the two French translators. As regards the necessity for a third translator, I am not in a position to discuss that question, because I have not had sufficient information from the committee as to the work the third man is going to do. If the two translators can do the work, and do it well, then the third is unnecessary; but I understand that this additional translator is appointed temporarily, to be called in when there is a rush of work to be done, which is a different matter. The principle here is to hold what we have. If we were as careful in curtailing expenses for other purposes we would do better. I hope the chairman of the committee will stand by the position he has taken, and see that the rights of members in regard to French translation are maintained in their integrity, and that he will be sustained by the House.

Hon. Mr. POWER—I had not proposed to take any part in this discussion, but really things have progressed to that point that I think it is only right that every member who has an opinion on this subject should express it, that is, if some one else has not already expressed it. The hon. gentleman from Victoria division (Hon. Mr. Cloran) informed us at the close of a very eloquent and somewhat prolonged speech, that on the matter which was before the House—that is, the report of this committee which recommended the appointment of an additional translator, he was not informed, and he did not know whether the additional translator was required or not. That was just what was before the House; that was the report of the committee, and consequently all the hon. gentleman's elaborate speech was not to the purpose at all.

Hon. Mr. CLORAN—Was the speech of the hon. gentleman from Portage la Prairie (Hon. Mr. Watson), not before the House? Will the hon. gentleman allow me.

Hon. Mr. POWER—No, I have the floor, and I will not be interrupted. The hon. gentleman made an appeal to this House on behalf of the French language and of the French members of this House. I think too highly of the French members of the Senate to suppose that, because there was a question of paying some French gentleman a trifling sum for his services, which were not required at all, they should be prepared to vote for it, whether

necessary or not. My own idea is, that the French members of this House, if they think that an expenditure is unnecessary, will not vote for that expense, even though it should be to benefit some gentleman who speaks their language. I am glad that the hon. gentleman from Mille Isles (Hon. Mr. David), agrees with me. I should be sorry to think the hon. gentlemen in this House who speak the French language would be prepared to endorse any sort of proposition, no matter how unreasonable, provided only some French gentleman was to be benefited. The hon. gentleman from Victoria division (Hon. Mr. Cloran), instead of speaking on behalf of the French members, was really casting one of the worst possible reflections on those gentlemen. What is the fact? It has come out —I say this with respect to the committee on reporting—that they perhaps were not as well informed as they might have been when they undertook to recommend this appointment; but since the recommendation has come before the House, it has, I think, been made reasonably clear that there is no necessity for an additional translator. Substantially, the case made by the hon. gentleman from Portage la Prairie (Hon. Mr. Watson), and the hon. gentleman from Hastings (Rt. Hon. Sir Mackenzie Bowell), has not been impugned and cannot be impugned. It has been said that it would be highly improper to refer the report of the Committee on Debates and Reporting to the Internal Economy Committee. I cannot look at the question in that way. From the time of the union of the provinces, the Internal Economy Committee has had charge of all matters affecting the financial affairs of this House, including the appointment and removal and promotion of the employees of the House; and, when it is made clear to this House, as I think it has been, or at any rate it has been made to appear that there is reasonable doubt whether the proposal made for another appointment, is a judicious one or not, I think the reasonable thing is to refer that question for inquiry to the committee which deals with the staff and with the expenditure; and I have no doubt if it is made to appear before the Committee on Internal Economy that this officer is necessary, they will recommend his appointment. Then His Honour the Speaker can make his recommendation, and it will be adopted by the House without any further reference to any committee. For these reasons I shall feel obliged to vote for the amendment to the resolution.

Hon. Mr. BEIQUE—It is not, in my judgment at least, a question of French or English language, it is a question as to whether the expenditure is justified or not, and I hope that in the light of the facts that have been brought before this honourable House by the hon. gentleman from Portage la Prairie and the hon. gentleman from Belleville, the committee will be disposed to further consider their report. I do not agree with the hon. gentleman from Halifax (Hon. Mr. Power) that the matter is not within the province of the committee on 'Debates'. I think it is within their province, and for my part I do not believe it would be proper to take it from that committee and send it to the Internal Economy Committee. There is also another reason why the report should be reconsidered. It is the reason to which the hon. gentleman from Stadacona (Hon. Mr. Landry) drew the attention of this honourable House. It is very doubtful if the procedure which has been adopted is the proper procedure. I am satisfied that the chairman of the committee has acted in good faith, and the services of this additional translator should be paid for, for the time that he has given; but I think that the report should be referred back to the same committee for further consideration, and that the committee, on further consideration, may well bear in mind the expression of opinion which has been made to-day, and will bear in mind the facts which have been brought to light by the hon. gentlemen to whom I have referred. I therefore move in amendment to the amendment, that the report be not adopted, but that it be referred back to the committee for further consideration.

Hon. Mr. DAVID—For the last four or five years I have always expressed in this House a good deal of sympathy for the French translators and I have worked hard

to have their salaries increased. I must admit that I have found a good deal of sympathy exists for those officials and a desire that their salaries shall be raised. The translators have at different times addressed themselves to this House to have their case considered. They never asked for more help. I want to be sincere, and to show hon. gentlemen of this House that when I ask something I am sincere, and if I ask for something it is because I am conscious that those for whom I plead deserve the considération of this House. So that their salaries having been raised at a time when it was thought they deserved an increase on account of the work which they were doing, I cannot now see how, logically, they can ask us to employ another translator. I am convinced of the necessity of the work done by the French translators, and I am confident that they deserve to be well paid, because I attach a great deal of importance to their work. It is a kind of service that deserves to be well paid, and my conviction is so strong in this respect, that if instead of asking for help they were asking to have their salaries placed on the same basis as the French translators of the House of Commons; I would vote for such a motion, but this is another question and I am not ready to admit that really another employee is required. I do not say that he is not required, but I am not convinced that such is the case and that is why I have seconded the motion made by the hon. gentleman from De Salaberry, with the hope that the committee will reconsider the question and will present to this House a report that will show why another employee is required.

Hon. Mr. COFFEY—I am willing the report should be referred back to the committee.

The amendment to the amendment was adopted.

GLOBE PRINTING COMPANY BILL.

SECOND READING.

Hon. Mr. DERBYSHIRE moved the second reading of Bill (N), an Act respecting the Globe Printing Company.

He said: The explanation of this measure is that we want power to change the date of the annual meeting, and power to make distribution in connection with the funds of the Company, and to give them the same power in that respect as other joint stock companies.

The motion was agreed to and the Bill was read a second time.

OPIUM AND DRUGS BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 97) an Act to prohibit the improper use of opium and other drugs.

He said : This is a Bill from the House of Commons to which I would invite the attention of the Senate. For some considerable time past, as very possibly many members of the House know, the habit of using cocaine appears to be more on the increase, and very especially on the increase in Montreal. The information which has come to the hands of the government leaves us to infer that a very considerable percentage of the youth of the city of Montreal have been indulging more or less in the cocaine habit. I need not say to hon. gentlemen, and particularly to those of the medical profession, that few things are more likely to injure the youth of the city than indulgence in this and other kindred drugs. The House of Commons unanimously passed the Bill which I now have in my hands, which contains a number of provisions more or less drastic, affecting not merely the sellers but consumers of these drugs. Under ordinary circumstances, it might appear that the measures proposed are somewhat of a severe character, but those who have considered fully the extent of the practice assure us that nothing but very drastic action will put a stop to it. The difficulty of securing a conviction in the case of the use of cocaine, as also in the case of the consumption of opium, is very great, and the lawyers employed have advised us that unless very considerable power is taken it will not be possible to check this evil. The various provisions of the measure I will be prepared to discuss in committee when the Bill reaches that stage. I will only state in a general way, that among the persons who have

petitioned for this legislation are a very great number of gentlemen of the highest standing in Montreal and elsewhere; in particular I might mention the mayor and many of the aldermen of Montreal, the recorder, the archbishop of Montreal, the Anglican bishop of Montreal, the Protestant Ministerial Association, the Baptist Association, the Montreal Congregational Council, the Baptists Young Peoples' Union of Quebec, the Clerical Association of Montreal, in fact almost everybody in that region who takes an interest in preserving the health of the juvenile part of the population, whom it is chiefly intended to reach by means of this Bill. Similar resolutions were passed, I am informed, by the Canadian Pharmaceutical Association, when they met at Halifax. I have no doubt the House will heartily endorse the principle of the Bill, and as to the details they can best be considered in committee.

Hon. Mr. McMILLAN—I wish to suggest to the right hon. minister who has charge of the Bill that the order of the schedule ought to be changed. Cocaine is mentioned first, then opium, and morphine. There are other medicines that are extracted from opium that are not mentioned and which are equally as dangerous.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman will observe that power is given to the Governor in Council, in one of the clauses, to add to this schedule certain preparations, alkaloids and the like, which very possibly will be found to cover the matter suggested by my hon. friend.

Hon. Mr. McMILLAN—The reason why I mention this is that morphine is already in the schedule. Laudanum or tincture of opium, and other solutions are not mentioned, although they are equally convenient for people to use. I will suggest these to the committee.

Rt. Hon. Sir RICHARD CARTWRIGHT—That might be. I will call the attention of the hon. gentleman to the words in clause 14:

> The Governor in Council may from time to time add to the schedule to this Act any substance, the addition of which is by him deemed necessary in the public interest, and every order in council in that behalf shall be published in 'The Canada Gazette,' and shall take effect at the expiration of thirty days from the date of such publication.

When we come to this clause, if it appears to the hon. gentleman that it is not sufficiently explicit, then other words can be added, and I would be very glad to consider what he has to suggest. I would also ask hon. gentlemen, in order that this measure may be properly and fully considered, if they would be kind enough to give notice of their intention when we are in committee to move amendments, and place them on record in our proceedings, so that I might confer with the gentlemen who have had this Bill in charge. I need hardly say to my hon. friend that the government in this matter have only one desire, and that is to make the measure as perfect as it can be made; but he knows, no doubt, the difficulty of giving an answer to a suggestion which is placed before the House on very short notice.

Hon. Mr. McMILLAN—I will give notice of the proposed amendments.

The motion was agreed to, and the Bill was read a second time.

IMMIGRATION ACT AMENDMENT BILL. SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 47) an Act to amend the Immigration Act. He said: This Bill is intended to make certain minor alterations, not apparently of any very great importance, and not conflicting with the principle already embodied in some of our other Acts, but which the department think would facilitate the working of this Act. It has reference in particular to matters under which the deportation clause, which has given rise to some controversy and litigation, can be carried out. In other respects the amendments to the Bill are considerably of a clerical kind, as will appear when we consider it in committee.

The motion was agreed to, and the Bill was read a second time.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

THURSDAY, February 9, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

LONDON AND NORTHWESTERN RAILWAY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (57) An Act respecting the London and Northwestern Railway Company, without amendment.

Hon. Mr. BOYER—Before this report is accepted, I desire to draw the attention of the House to the dangerous nature of the title of the Bill. The London and Northwestern Railway Company is one of the biggest corporations in England. We are authorizing this company to float bonds to the extent of $30,000 a mile on their road, which is not even started. Supposing they go to the English market and offer these bonds in the name of the London and Northwestern Railway Company, will it not be a sort of drawing card for this new road, to the detriment of an old established corporation? This company was incorporated in 1909. I was not in the House at the time, but if I had been, I would have drawn attention to this feature of the charter. Will this new company not use the well established name of the London and Northwestern Railway Company, of England, to obtain subscriptions for its bonds? The London and Northwestern Railway Company is the premier road of England, and stands financially very high in the London market and I may say in the markets of the world, and the borrowing by a new corporation of such a powerful title is apt, in my humble judgment, to deceive further subscribers to the stock.

Hon. Mr. COFFEY—I am quite willing to admit the force of the argument of the hon. gentleman. There might be some troubles if the Bill went through in its present shape, and I ask that the order of the day be withdrawn, and that it be placed on the Order Paper for this day week, and in the meantime I will consult the promoters of the Bill and ascertain their views in regard to it.

Hon. Mr. POWER—The hon. gentleman might give notice of motion to amend the title to the Bill at the third reading, say by adding the words 'of Canada.'

Hon. Mr. COFFEY—I think we had better consult the promoters and ascertain from them what name they would prefer.

The motion was agreed to, and the order of the day be discharged.

ONTARIO NORTHERN AND TEMAGAMI RAILWAY COMPANY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE—From the Committee on Railways, Telegraphs and Harbours, reported Bill (E) An Act respecting the Ontario Northern and Temagami Railway Company, with amendments. He said: The principal amendment is for the purpose of making the Bill conform to section 150 of the Railway Act, which requires that 15 per cent of the capital stock of the company be expended within two years from the commencement of the railway construction.

The consideration of the amendments was fixed for Tuesday next.

BRANCH LINES OF THE GRAND TRUNK PACIFIC AND NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. LANRDY inquired:

1. What are, east of Winnipeg, as far as Moncton, the different branch lines which the government, the Grand Trunk Pacific or the National Transcontinental Commission may construct from a fixed point to connect with the main line of the National Transcontinental?
2. What is the length of each of these branch lines?
3. What are the branch lines actually constructed?
4. What are the branch lines in course of construction; and what is the length already completed?
5. What are the branch lines authorized by law on which no work has been executed outside exploration or location operations?
6. Under what Act or section is the right to construct these branch lines claimed?
7. Are the three railways which the Quebec bridge and railway company had the power

to construct under section 4 of chapter 177, 3 Edward VII., considered or may they be considered as branch lines of the National Transcontinental?

8. Under what Act?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

(1.) From a point on the eastern division of the National Transcontinental railway to St. John, or such other port on the Bay of Fundy as may be considered by the company more acceptable and better adapted for the purposes of the company.

(2.) From a point on the eastern division of the National Transcontinental railway at or near Edmunston, in the province of New Brunswick, to Rivière du Loup, in the county of Temiscouata, in the province of Quebec.

(3.) From Montreal, passing through the town of Joliette and the valley of the L'Assomption river or the valley of the Rivière Noire, in the county of Joliette, to a junction with the National Transcontinental railway at or near to a place named Waymantachi, in the province of Quebec.

(4.) From Montreal to a junction with the National Transcontinental railway; the said branch line to be constructed in a northwesterly direction, in accordance with the plan originally made, and as shown on the map prepared and submitted for the consideration of the Grand Trunk Pacific Branch Lines Company.

(5.) From a point on the eastern division of the National Transcontinental railway between the 76th and 78th degrees of west longitude to Ottawa.

(6.) From the main line southerly to a point at or near North Bay or Nipissing Junction.

(7.) From a point on the eastern division of the National Transcontinental railway, between the 83rd and 85th degrees of west longitude to Orillia.

(8.) From a point on the main line to Port Arthur, Fort William, or any other Canadian port on Lake Superior approved by the Governor in Council.

(9.) From Winnipeg to a point on the southern boundary of the province of Manitoba, within a distance of 25 miles east or west of the Red River.

2. (1) 90 miles approximately.
(2) 81 miles approximately.
(3) 197 miles approximately.
(4) 250 miles approximately.
(5) 250 miles approximately.
(6) 300 miles approximately.
(7) 500 miles approximately.
(8) 188·77 miles approximately.
(9) 65 miles approximately.

3. Lake Superior Branch (8).

4. None.

5. The branch lines enumerated in answer to No. 1, other than the Lake Superior branch.

6. The construction of branch lines Nos. 1, 2, 3, 4, 5, 7 and 9, is authorized by the Statutes of Canada, 6, Edward VII, chapter 29. The construction of branch lines Nos. 6 and 8 is authorized by Statutes of Canada 3, Edward VII, chapter 122.

7. No.

8. No.

PURCHASE OF THE CARRIERE AND LAINE PROPERTY AT LEVIS.

INQUIRY POSTPONED.

Hon. Mr. LANDRY rose to call attention to the returns relating to the purchase of the Carrieré and Lainé property at Levis, and inquire:

Will all the documents, ordered by this House, be immediately laid on the table of the Senate, and will the several departments, who unknowingly or not, have disobeyed or failed to obey this order, be warned of the imperative duty which befalls upon them of obeying without delay the orders of this House, if they wish to avoid a more startling denunciation of their methods, and a more efficient remedy to the evils caused by these methods.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Secretary of State's Department informed me that, as far as they are aware, all the information required in this notice was tabled on Tuesday, February 7.

Hon. Mr. LANDRY—I shall have to give another notice for a particular document which I want, and which is in the Secretary of State's Department.

Rt. Hon. Sir RICHARD CARTWRIGHT —I called their special attention to the notice of inquiry, and that is their reply. Has my hon. friend examined the papers laid on the table last Tuesday?

Hon. Mr. LANDRY—I have looked through them, and have not found the

document that I want among them. They gave me the account of Mr. Dien. What I want is the contract with the People's Bank.

The notice was allowed to stand.

NAVAL SERVICE POSTERS.

INQUIRY.

Hon. Mr. LANDRY:

1. How many thousands of large posters has the Stone Lithographing Company, of Toronto, printed for the government, in connection with the recruiting of men for the naval service?
2. How many thousands of small posters, for the same object, has the Mortimer Company, of Ottawa, printed for the government?
3. What was the amount finally paid to each of these companies?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. 3,000 English, 500 French.
2. 10,000 English, 1,000 French.
3. Stone Lithographing Company, $1,710; Mortimer Company, $1,100.

IMPORTATIONS AND EXPORTATIONS OF BEEF, SHEEP, POULTRY, &c.

MOTION.

Hon. Mr. McDONALD (Cape Breton) moved:

For an order of the Senate for a return showing the importations by the Dominion from the United States in the year 1910 of the following commodities:—
1. Beef and live cattle.
2. Sheep.
3. Poultry.
4. Ham.
5. Pork.
6. Bacon.
7. Flour.
8. Wheat.
9. Barley, fish, trees and eggs.

With the value of the different articles.

Showing also the exportations from the Dominion to the United States of the corresponding products with their relative value.

He said: I will not discuss the motion now, but I think it would be well to have the list of articles in a concrete form when the question of tariff revision comes up.

Rt. Hon. Sir RICHARD CARTWRIGHT —Does my hon. friend want the return for the fiscal year 1909-10, or the calendar year? The one for the financial year he will find already prepared, but the return for the calendar year might take some time.

Hon. Mr. McDONALD—The fiscal year ending March last. The hon. gentleman from Stadacona received a reply to a number of questions yesterday, but the replies are not in concrete form.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will get the return if the hon. gentleman wants it; but I think he will find all that he wants in part 2 or part 4 of the report of the Department of Trade and Commerce. Our entire trade with the United States for the fiscal year 1909-10 is set out in detail.

Hon. Mr. McDONALD—(Cape Breton) —I have looked at some of these returns and they are too prolix. There is one by Mr. Fielding showing the exports and imports from different countries, and they are too voluminous for the members to take them in; I want a short return.

Rt. Hon. Sir RICHARD CARTWRIGHT —The report I referred to deals specially with the exports and imports to and from the United States. It has only been very recently prepared, and very possibly it has not attracted the attention of the hon. gentleman.

The motion was agreed to.

POLLUTION OF NAVIGABLE WATERS BILL.

ORDER OF THE DAY RESCINDED.

Hon. Mr. BELCOURT—I was unavoidably absent yesterday, but I requested an hon. member to ask that the second reading of Bill (I) An Act respecting the pollution of navigable waters, be postponed until to-day. I find, however, that it has been set down for Tuesday next. I ask leave of the House to have it placed on the orders of the day for to-morrow. I shall be absent on Tuesday, and probably will not return for two weeks, and as there are some important statements to be made in connection with the second reading, I move that the House strike out the order fixing the second reading for Tuesday, and that they allow the second reading to take place to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT —The House will be very thin to-morrow.

The subject of this Bill is one of very considerable interest and importance, and I am sure a great many members would like to hear the hon. gentleman from Ottawa make his statement.

Hon. Mr. BELCOURT—The second reading need not take place to-morrow, but I should like to make my statement, as I have some information which I think is of some importance, and which the House would be without if I were not permitted to make it to-morrow.

Hon. Mr. POWER—While every member will naturally be disposed to meet the view of the hon. gentleman from Ottawa, I do not think he is proceeding in a strictly regular way.

Hon. Mr. BELCOURT—I admitted it was irregular

Hon. Mr. POWER—An order of the House was passed yesterday that this Bill be read a second time on Tuesday next. In order to clear the ground for the motion which the hon. gentleman proposes, and to which I have no objection whatever, it will be first necessary for him to move that the order of yesterday be rescinded.

Hon. Mr. BELCOURT—That is what I did move.

Hon. Mr. POWER—I listened to the hon. gentleman carefully and I did not hear him say anything about rescinding. He moved that this Bill be placed on the orders for second reading to-morrow.

Hon. Mr. BELCOURT—I do not know that I used the word 'rescinded.' I moved that the order of the day be struck off the order paper for Tuesday, and that it be placed on the orders for to-morrow. If the expression 'struck off' be irregular, I will substitute the word 'rescinded.'

The motion was agreed to.

Hon. Mr. BELCOURT—I move that the second reading of the Bill be placed on the orders of the day for to-morrow.

The motion was agreed to.

SECOND READINGS.

Bill (O) An Act respecting The Western Alberta Railway Company.— Hon. Mr. De Veber.

Bill (P) An Act to incorporate the Universal Life Insurance Company.—Hon. Mr. Coffey.

Bill (54) An Act respecting the E. B. Eddy Company.—Hon. Mr. Belcourt.

Bill (72) An Act respecting the Georgian Bay and Seaboard Railway Company.—Hon. Mr. McMullen.

Bill (42) An Act respecting the Collingwood Southern Railway Company.—Hon. Mr. McMullen.

Bill (M) An Act respecting The Quebec, Montreal and Southern Railway Company. —Hon. Mr. Beique.

The Senate adjourned until 2.30 p.m. to-morrow.

THE SENATE.

FRIDAY, February 10, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

IMPORTS AND EXPORTS OF LIVE STOCK, ETC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing in as many distinct columns, for the last five years, with an additional column containing the average thereof:—

I. The quantity and value of each of the following products—

1. Live Stock.
2. Pork and bacon.
3. Potatoes.
4. Eggs.
5. Butter.
6. Cheese.
7. Maple sugar.
8. Fruit.
9. Garden products.
10. Hay.
11. Wheat.
12. Flour.
13. Oats.
14. Other natural products.
15. Agricultural implements.

Of Canadian origin exported to—

(a) the United States;
(b) the British Isles:
(c) other countries.

II. The quality and value of the same articles, together with the amount of duty collected on each of them for consumption and imported from—

(a) the United States;
(b) the British Isles;
(c) other countries.

Hon. Mr. POWER—I am not objecting if the minister does not object, but I do not see why a great deal of time of the members of the staff of the government should be occupied in making up statements which are already contained in the reports of the respective departments to which they apply.

The motion was agreed to.

CONSTRUCTION OF GRAND TRUNK PACIFIC BRANCH LINES.

INQUIRY POSTPONED.

The notice of inquiry being called:

By the Hon. Mr. LANDRY:

1. Has the railway described in paragraph (a) of section 4 of chap. 177 of 3 Edward VII, been constructed in whole or in part?
2. What is the total length of this railway?
3. Where does it start and where does it end?
4. What is the length of the road on which construction work has been performed?
5. What was the cost thereof to date?
6. What is the estimated cost of the work remaining to be done?
7. To whose account has the work already executed been charged?
8. To whose account shall the work remain to be done be charged?

Rt. Hon. Sir RICHARD CARTWRIGHT —As to this inquiry and the three which follow it on the Order Paper, the Department of Railways and Canals state that it will require some time to secure the information. They have not been able to supply it yet.

The inquiry was allowed to stand.

THE CARRIER AND LAINE LAND PURCHASE AT LEVIS.

The order of the day being called:

By the Hon. Mr. LANDRY:

1. Did the sheriff's sale of the Carrier & Lainé property in favour of the Bank of Montreal, include the movables situated on the property?
2. Was the adjudication of these movables contested by the firm of Carrier & Lainé, who intended to remain sole proprietors thereof?
3. Was an action of revindication therefore instituted before the courts against the Bank of Montreal?
4. In purchasing from the Bank of Montreal, the Carrier & Lainé property, was the government aware of the revindication?
5. Did the government, in order to protect itself, demand from the Bank of Montreal, a guarantee against the possibility of a judgment adverse to the bank?
6. When did the government demand this guarantee and for what amount?
7. When did the bank give it, and for what amount?
8. Was the deed of guarantee duly registered and when?
9. If not, why not?
10. Is it the intention of the government to demand the immediate registering of such a guarantee?

Rt. Hon. Sir RICHARD CARTWRIGHT —The Department of Justice advise me that they have not in their possession sufficient information to prepare the answers to these questions but that they are writing to their agent for the necessary particulars.

The notice was allowed to stand.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

INTRODUCED.

Rt. Hon. Sir RICHARD CARTWRIGHT introduced Bill (R) An Act to amend the Chinese Immigration Act. He said: The chief object of this Bill is to enable the department to more accurately define than is at present done the term 'merchant,' under which a great number of Chinese have lately made their way into this country, and likewise to define who Chinese students are who are entitled to be exempt, and also to permit Chinese born in Canada to bring in wives and minor children.

Hon. Sir MACKENZIE BOWELL—That is a concession which does not exist now?

Rt. Hon. Sir RICHARD CARTWRIGHT —It does not exist now but I think the House will agree with me that in the case of Chinese born in Canada they should be allowed to get wives.

Hon. Sir MACKENZIE BOWELL—I quite agree with the right hon. gentleman. Is there any provision in the Bill to meet the number of frauds that have been committed lately through permitting Chinese to enter the country under fraudulent passports?

Rt. Hon. Sir RICHARD CARTWRIGHT —There are some additional powers given to the department. I am not certain that that particular point is met. The main object of the Bill, as I have mentioned, is

to define who are students and who are merchants, and also to admit Chinese of the class I have named.

Hon. Sir MACKENZIE BOWELL—You will find that a very difficult problem.

The Bill was read the first time.

THIRD READINGS.

Bill (53) An Act respecting the Dominion Atlantic Railway Company.—Hon. Mr. Power.

Bill (46) An Act respecting the Ottawa, Northern and Western Railway Company. —Hon. Mr. Belcourt.

Bill (67) An Act respecting the Burrard-Westminster Boundary Railway and Navigation Company.—Hon. Mr. Bostock.

GRAND TRUNK RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. YOUNG moved the second reading of Bill (55) An Act respecting the Grand Trunk Railway Company of Canada. He said: The Grand Trunk Railway Company, by this Bill, ask for legislation on several different matters. They ask for an amendment in relation to the power to transfer stock, and also for power to acquire the securities of the Montreal and Southern Counties Railway Company; also power to guarantee bonds of the Grand Trunk Western Railway Company. They also ask for power to issue perpetual consolidated debenture stock. Clause 6 provides:

6. The company may, in addition to the amounts authorized by the Grand Trunk Act, 1897, and the several Acts referred to in section 5 of that Act, and by the Grand Trunk Act, 1909, borrow and raise, for the purposes hereinafter specified, by the creation and issue of perpetual consolidated debenture stock to be called Grand Trunk Consolidated Debenture Stock, bearing interest at a rate not exceeding four per cent per annum, such sum as the proprietors of the company entitled to vote, in general meeting assembled, shall from time to time determine: Provided always, that the aggregate amount of the annual interest on such debenture stock to be issued under this Act shall not exceed one hundred thousand pounds, sterling.

There is also a clause which provides for the application of the proceeds of stock. The balance of the Bill relates to the procedure necessary with reference to the internal working of the company.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (61) An Act respecting the Pontiac Central Railway Company.—Hon. Mr. Campbell.

Bill (70) An Act respecting the Canadian Western Railway Company.—Hon. Mr. De Veber.

Bill (73) An Act respecting the Grand Trunk Pacific Branch Lines Company.— Hon. Mr. Watson.

Bill (21) An Act respecting the Vancouver and Lulu Island Railway Company.— Hon. Mr. Beique.

POLLUTION OF NAVIGABLE WATERS BILL.

SECOND READING MOVED.

Hon. Mr. BELCOURT moved the second reading of Bill (I) An Act respecting the pollution of navigable waters. He said: When about a year ago I introduced in this House a measure similar to the one now before us, I am sure neither myself nor the hon. gentlemen who did me the honour to listen to me then thought we would, within such a short time, have under our immediate notice such a horrible demonstration of the menace and evil to which I drew the attention of the House at that time. It is fortunate in one way, that the Bill which I am bringing before the House is not introduced as the result of the present epidemic which is causing so much suffering and so many deaths in the city of Ottawa, and that it is not a panic measure, but one, evidently, the necessity for which can be shown for some time past and for other reasons than those caused by a panic. It is not my intention to-day to go over the ground which I covered last year, and which I hope is still fresh in the memory of hon. gentlemen. I entered as fully as I could into the reasons for the legislation. I pointed out its necessity. I tried to give the House an analysis of what had been done elsewhere on this subject, and, I think, showed conclusively

at the time the necessity for putting an end to the dumping of sewage into the sources of our water supply. It is an evil universally recognized, and one which the whole civilized world to-day is striving to remedy. I do not think there is any part of the world at present where it is not recognized that this is probably the only subject as to which humanity has been most negligent. Whilst in Canada and elsewhere legislation for the preservation of the public health has been resorted to in various ways, by protection to our food and by the adoption of hygienic laws, it would seem, not only in Canada, but all over the world, of all animal creation man has been the one most neglected. We have laws to prevent the spreading of disease among hogs, cattle and horses. On a recent occasion we made it a subject of international treaty that fish in internal waters should receive protection. The governments of Canada and the United States have devised means for the protection of fish in these waters. If I might be permitted to paraphrase Mr. Kelso, who takes such an interest in the welfare of children, to-day it is better to be a horse, a hog, a cow or a fish, than to be a man, because more protection has been bestowed on those various members of the animal creation than upon man. What would the community say of a man that would allow his cattle to be fed out of a slop pail? I use strong expressions, because I think the community at large must be aroused to the evils of water pollution. If any one of us would see our servants bringing us water for drinking or cooking purposes in a slop pail, what would we do to those servants, and yet that is what we are doing every minute of the day. We are dumping into the water which we are going to drink the worst sort of contamination possible, not occasionally but constantly. If a small village of 500 or 1,000 population dumps its sewage into the Ottawa river, the city of Ottawa is up in arms, but we are doing a thousand times worse ourselves than any village is doing. I use strong language, because I think the occasion requires it. There has been on the part of humanity at large, and on the part of the people of Canada in particular, the greatest negligence in this direction. The dumping of sewage into our sources of water supply causes a dangerous menace to human life. It is an unnecessary evil. There is no necessity whatever to dump sewage into our rivers. Take the most congested nation in the world, Belgium, with a population of about 400 to the square mile; they do not dump their sewage into the streams. It is disposed of by purification or used for fertilizing purposes. I have figures here to show that in a city of about 50,000 population in Belgium, the cost per head annually for turning sewage into perfectly good drinking water is seven cents. Who, for seven cents a head, would not insure his life against not only typhoid fever, but against other diseases transmitted by polluted water? It is almost incredible at this age, after so much progress has been made by the scientific world in the advancement of comfort and progress, especially in the medical branch, that we are still carrying on this criminal practice of pouring sewage into the sources from which we get our water supply. Since the introduction of this measure a year ago the matter has engaged the attention of the Commission on Conservation. I should like to have the privilege of putting in the Debates some of the reflections contained in an address by Dr. Hodgetts on pure water and the pollution of waterways. Dr. Hodgetts says at page 8:

> It is generally conceded that a large percentage of all sickness happening in cities and towns is due to impurity of the water supply, sewage contaminated water being an important cause of diarrhœa, typhoid fever, cholera, and probably of a number of other diseases of which at present we cannot speak with certainty.
>
> It has been so far accepted, and is now almost the general rule, to consider that a continued typhoid death rate of over 20 per 100,000 of population is an indication that the public water supply is greatly at fault. With the object of ascertaining how this rule would work out for Canadian cities, information has been obtained as to the deaths from typhoid fever reported in cities of Canada during the decade of 1900-1909, and this has been set forth in table A.

TABLE A—TYPHOID FEVER.

Mortality Statistics of Cities of Canada, by provinces, 1900-1909 (inclusive)

Province.	City.	Rate per 100,000 of population by years.									
		1900	1901	1902	1903	1904	1905	1906	1907	1908	1909
Alberta	Edmonton	.....	75·4	20·0	32·3	37·5	40·0	254·3	180·0	110·0	76·0
British Columbia..	Nanaimo	80·0	.....	.....	40·0	.. .	.....	.....	18·1	.....	.....
	New Westminster.	.....	46·1	.....	.....	.. ..	25·0	62·6	42·1	76·1	58·3
	Rossland	.....	.....	.....	.....	.. ..	.....	18·1	.....	25·0	25·0
	Vancouver	.....	.....	.....	.....	.....	.....	15·3	26·9	10·5	8·8
	Victoria	39·1	27·7	.....	18·5	3·4	16·1	18·1	17·1	5·4	10·0
Manitoba	Winnipeg	122·3	118·3	95·0	82·8	248·3	175·0	108·8	49·2	40·5	38·4
New Brunswick...	Moncton	87·5	58·8	88·8	42·1	10·0	47·6	36·3	34·7	58·3	8·0
	St. John	26·1	.....	.....	.....	.....	.....	.....	.....	.....	31·2
Nova Scotia	Halifax	.....	.....	.....	.....	.....	.....	.....	.....	.....	4·0
	Sydney	.....	90·9	8·3	16·6	30·7	15·3	42·8	13·3	31·2	11·7
Ontario	Fort William	.....	.....	.....	88·6	200·2	132·6	946·9	.....	98·5	94·0
	Hamilton	23·2	18·9	13·0	11·1	12·7	13·8	33·5	17·9	14·0	.....
	Kingston	16·5	32·8	10·8	87·6	21·6	38·4	37·9	32·2	41·7	31·2
	London	.....	.....	.....	.....	67·3	23·9	44·0	6·7	10·4	4·0
	Niagara Falls	.....	44·0	.....	.....	14·1	.....	37·7	37·0	74·0	24·3
	Ottawa	31·6	19·7	35·9	9·7	11·0	20·0	20·7	51·6	26·1	31·2
	Peterborough.	73·5	36·5	18·0	34·6	49·3	41·7	26·7	25·0	18·1	5·9
	St. Catharines	38·6	57·0	47·1	18·7	36·6	44·7	25·5	.....	.....	24·3
	Stratford	28·7	46·4	.....	37·2	26·1	24·5	23·3	7·5	.....	20·7
	Toronto	10·5	11·1	11·8	15·9	18·1	16·7	24·8	19·4	19·8	25·7
	Woodstock	137·6	52·9	10·5	21·1	31·7	21·1	43·2	10·8	43·2	.....
Prince Edward Is.	Charlottetown	.....	.....	.....	.....	.....	.....	16·6	16·6	.....	8·3
Quebec	Montreal	42·6	44·4	30·9	31·4	31·8	18·1	37·0	33·2	33·1	53·8
	Quebec	7·3	13·0	.....	.....	.....	.....	.....	.....	23·1	5·3
	Sherbrooke	476·6	227·0	60·8	60·8	30·7	52·3	21·6	108·0	131·4	78·4
Saskatchewan	Saskatoon	.....	.....	.....	.....	.....	.....	.....	.....	133·3	66·6

Computations are made only where the number of deaths and estimated population are given. In some few instances, the health officers have been unable to state the number of deaths. It will also be noted that no reference has been made as to whether the deaths reported were those of residents or non-residents, but as it is generally the rule for a small proportion of the residents of rural districts to be sent to city hospitals for treatment, the prevalence of this custom will not materially affect the comparison of the rates.

In studying the table, one cannot fail to be struck with the fact that during the past decade the inhabitants of each of the cities have been served out 'polluted water' and that, as a consequence, many valuable lives have been lost and many thousands of people have had to endure sickness and suffer loss of time and money, all on account of the indifference and criminal carelessness of individuals and of failure on the part of the legislatures to make adequate statutory provision for requiring—yes making—the body corporate to do just what the individual citizen is required now to do, viz., to care for his own domestic waste so it will not be a nuisance either to himself or his neighbours. In other words, a city should care for its own sewage in such a manner that it will not prove a nuisance.

TABLE B.—TYPHOID FEVER.

Cities of the United States, bordering Great Lakes, mortality rate per 100,000 of population, 1900-1908, (inclusive).

Cities.	Rate per 100,000 of population by years.								
	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	1908.
Ashtabula	7·7	44·9	36·3	49·4	137·1	60·0	38·9	19·0	86·2
Buffalo	23·5	27·1	33·7	34·6	24·2	24·4	23·6	29·2	20·7
Chicago	21·1	29·8	45·1	32 0	20·2	16·5	18·3	17·7	15·3
Cleveland	56·8	34·9	35·5	115·0	49·6	14·9	20·2	18·9	12·6
Detroit	28·4	20·1	23·5	20·0	17·6	21·2	22·3	28·3	22·3
Duluth	109·5	74·1	53·7	64·8	54·4	44·7	46·0	41·6	56·8
Milwaukee	19·3	22·1	15·1	16·8	13·6	22·7	30·5	25·7	17·4
Niagara Falls	107·9	143·9	130·4	126·9	139·8	181·6	147·3	126·8	98·0
Ogdensburg	55·4	20·4	95·0	54·2	60·9	40·5	87·6	40·4	33·6
Port Huron	47·0	41·3	61·2	25·2	34·9	14·8	53·8	43·5	19·1
Sault Ste. Marie	132·9	92·9	172·9	115·9	52·4	68·6	58·9	16·5	72·9
Toledo	41·0	32·2	34·7	29·5	37·2	45·7	45·0	36·4	40·1

For purposes of comparison of typhoid statistics with some of the cities of the United States, a compilation of the mortality figures of twelve cities of the United States located on the chain of Great Lakes, has been made in table B. These figures are for the corresponding years of table A, with the exception of 1909, for which the figures could not be obtained. The mortality rates given are gathered from the reports of the Washington Census Bureau. This table clearly shows that if the conditions of Canadian cities bordering on the Great Lakes is bad, those of the cities of the United States referred to are equally so. The possibilities of sewage pollution there are many times greater than in Canada. The people of the United States have not learned the lessons of municipal sanitation—the laws of common sense—and as a consequence the typhoid death rate in the United States is 46 per 100,000.

To further emphasize the fact that Canada has lessons to learn in respect to sanitation generally, from the older countries of Europe, where the population is and has been congested for many years, as well as from the nation to the south of us, table C has been prepared. A typhoid index certainly goes far to show what these countries are doing in respect to water supplies and the protection of the same as well as to general measures of sanitation which cannot be dwelt upon here. The figures are the latest obtainable.

TABLE C—TYPHOID FEVER.

Death Rate of Nine Countries per 100,000 of Population.

Year group.	Countries.	Rate per 100,000 of population.
1901-1905....	Scotland	6·2
	Germany	7·6
	England and Wales..	11·2
	Belgium.....	16·8
1901-1904....	Austria.....	19·9
	Hungary.....	28·3
	Italy	35·2
1901 (census)	Canada	35·5
1901-1904....	United States.....	46·0 (estimated).

What can we say for the efficiency of our laws for the safeguarding of the public of Canada against this one disease, typhoid fever, let alone the other diseases due to or dependent upon polluted water supplies? Is there any sanitarian or any legislator who will be bold enough to say the existing health laws are adequate or efficient in respect to this question?

Imagine, if you can, the population of the countries of Europe included in table C, viz., Scotland, Germany, England and Wales, Belgium, Austria-Hungary and Italy, totalling over one hundred and seventy-eight million, crowded into the provinces of Nova Scotia, New Brunswick, Prince Edward Island, Quebec, Ontario and Manitoba, which about equal them in area. And yet, with all this density and its accompanying poverty, out of both of which you may read disease, the typhoid rate in none of them is as great as is that of Canada.

Is it not time we were alive to our responsibilities and made haste to put our house in sanitary order? This glorious Canada of ours possesses natural advantages in the way of everlasting reservoirs which we should at once take steps to purify and keep pure as long as time will last—a national heritage which it is our duty to hand down to posterity as pure and wholesome as it is possible to make and maintain it. Certain it is we are not doing it by our present methods and laws. It can, however, be done by efficient laws, by better laws than we have as yet seen fit to enact, the enforcement of which should, in the main, rest with some centrally well-organized and wisely administered federal department, co-operating with each of the various provincial departments of health.

Hon. Mr. DE BOUCHERVILLE—Where will your sewage go if you cannot discharge it into the river?

Hon. Sir RICHARD SCOTT—It will be used to enrich the land.

Hon. Mr. BELCOURT—It can be disposed of in two ways. The sewage of any large city can be treated by placing it on the land. It is well known that the action of the sun will in a very few hours—I think the limit is eight hours—kill the germs which, if left in water and in a dark place, would retain and transmit life for ages. It can also be disposed of by purification. In other words, you can turn sewage into perfectly pure water. That is what they are doing to-day in Belgium. In that country, there are purification plants in general use which can in fifteen minutes turn the worst sewage into absolutely pure water.

Hon. Sir MACKENZIE BOWELL—I would not care to drink it.

Hon. Mr. BELCOURT—Scientific men have pronounced it pure, and that is done at a cost of seven cents per head of the population. That the present epidemic in Ottawa is due to the pollution in the water supply is absolutely demonstrated to-day. It is as brutally clear as any arithmetical problem is. We know where it comes from, how it got into our mains, and exactly the occasion for it. There is a portion of the city at the west end, and a small village named Mechanicsville adjoining it on the river front, where all the sewage is emptied into a little stream known as Cave Creek. That creek empties into the Ottawa about a mile above the waterworks. The corporation of the city of Ottawa has gone to the expense of building a large

intake pipe and carrying it out several hundred feet into the main channel of the river to avoid pumping the bad water coming down along the banks of the river: in this intake pipe are three different valves, one near the outer end, one at the centre, and another close to the shore. The valve close to the shore is opened when the water is low, in order to get sufficient pressure in case of fire. This valve was opened last fall on several occasions, and through this valve has come the polluted water from the sewage of Mechanicsville, and the population along Cave Creek. The sewage can be traced from the creek right to that valve, and here we have been for months feeding on the sewage carried into the river by this creek.

Hon. Mr. CAMPBELL—Is that valve open now?

Hon. Mr. BELCOURT—No, it is closed now.

Hon. Mr. CAMPBELL—Is the water pure now?

Hon. Mr. BELCOURT—I cannot say as to that. I know I am not drinking it. I am not taking any chances. I have had a severe experience in my own home, so I am wise. Coming down to this measure: the key note of this Bill is that there shall be no pollution of our water supply.

Hon. Mr. WILSON—How would you prevent the pollution of the smaller streams which run into navigable waters, and to whom would the legislation properly belong—to the Dominion or to the provinces? If the Dominion undertakes it, has the government the power, when water is polluted, to punish the wrong-doers?

Hon. Mr. BELCOURT—I was going to deal with all those points. The Bill has one principle, and one only, that is to prevent the pollution of navigable waters. All the rest is merely incidental, creating the machinery for the purpose of enforcing its provisions. My hon. friend is worried over the question of jurisdiction. Others are, and I have been worried myself on that point. It is one as to which many opinions have been expressed, some by eminent authorities. I hope I shall be pardoned if I say that I cannot agree with those who consider the question beyond our jurisdiction. However great the respect I entertain for those who express that view, I cannot think it was ever intended by the British North America Act that questions of this kind should be relegated to the provinces.

Hon. Mr. WILSON—Whether it was the intention or not, does it?

Hon. Mr. BELCOURT—I am coming to that. I tried last year to deal with the question of jurisdiction. I stated it to establish the thesis that we have jurisdiction in matters of public health, not merely in navigable waters, but generally; and where, for instance, a province is doing something which is injurious to the health of another province, there is absolutely no other tribunal but this to deal with it, and if this parliament cannot deal with it there is no remedy. If, for instance, the people living on the Ontario side of the Ottawa river were to commit a nuisance which would endanger the health of the people on the other side, legislation by the Quebec legislature would not help it. To put a question of that sort seems to me to show that it must have been the intent of the framers of the British North America Act to give to this parliament jurisdiction where a question of that kind arose, and I take it, under the British North America Act which gives this parliament jurisdiction in matters of public health generally, and which gives the various provinces power to deal exclusively with public health, but only with reference to certain subjects, that is hospitals, and eleemosynary institutions—it shows clearly that the general question of health has been left to the federal parliament. I do not want to weary the House with going over the general argument, which for the purpose of my Bill is not necessary. Hon. gentlemen will see that the Bill deals only with navigable waters. I am not attempting to deal with anything as to which we clearly have no jurisdiction. The title of the Bill and the preamble show that it deals with the pollution of navigable waters only, so that I have not attempted in any way to deal with

matters which have been left to the provinces. The question of jurisdiction is not one which has anything to do with this Bill, and it is one therefore on which I shall not spend any further time.

Chapter 115 of the Revised Statutes of Canada, which provides for the protection of navigable waters, contained provisions somewhat similar to this with reference, for instance, to the pollution of navigable waters by sawdust and other waste. If we have jurisdiction over these waters for navigation purposes, surely we have jurisdiction to prevent the depositing of sewage. Sewage may affect navigation. However, I shall not discuss the question of jurisdiction any more. If we are going to split hairs and allow the community to die by hundreds and thousands from preventable diseases such as typhoid fever, simply because of the question of jurisdiction; if we are to go on as we are now doing perpetually, the provinces and the Dominion shirking their duty, and allow the race to go to the dogs, it is about time the community should know it and urge parliament to provide some remedy, either by changing the British North America Act, or taking the law into our own hands. Are we going to perpetually drink water polluted by sewage? Are we going to have other epidemics in a community like this because of the question of jurisdiction? It seems to me the thing is preposterous. Why question the jurisdiction of parliament? Has it not been exercised for forty years? Have we not made laws against the adulteration of food and drugs? Has not parliament decreed that one of the officers of this government can go into my stable and kill my horse if it has the glanders? If that is not interfering with provincial jurisdiction, what is? The reason parliament has so done is for the protection of the public health, and surely the reasons for the legislation required by this Bill are more important than the mere question of the life or death of a horse. As far as navigable rivers are concerned, there can be no question whatever that we have the jurisdiction. Last year, some hon. gentlemen, for whom I have the greatest respect, objected to this Bill on the ground that it was impracticable—because it was going to prevent the small towns and villages from dumping their sewage into rivers at their doors. That is the very thing that we want to get at and stop. If the people living along the small streams empty their sewage into those streams which flow into the Ottawa river, what is the use of protecting the Ottawa river? You must get at the source of the pollution wherever you find it. You cannot stop it in one place and allow it to go on at another. I should like to read to the House another portion of Dr. Hodgett's report. At page 52, he says:

A study of the map of the watersheds of Canada indicates the interprovincial and international character of some of the more important watersheds of the Dominion. The provinces of Nova Scotia and Prince Edward Island, by reason of their insular positions, are exceptions to the general rule, while British Columbia is an example where failure to protect its own rivers might be a menace to the states lying to the south. Alberta, on the other hand is an example where, owing to the flow of the rivers easterly through Saskatchewan, the difficulties are local and interprovincial. In Saskatchewan and Manitoba the questions are also local and interprovincial; while in Manitoba, owing to the fact that the watersheds of the Assiniboine and Red rivers lie largely to the south of the international boundary line, chiefly in North Dakota and Minnesota, the problem assumes an international aspect. The pollution of the Great Lakes is to a great extent international, since they receive a portion of their waters from the states of Minnesota, Michigan, Ohio, New York, Vermont, New Hampshire and Maine. The pollution of the Ottawa river, the interprovincial boundary between Ontario and Quebec, makes the question of pollution of the watershed of that river of interprovincial interest, the chief sources of contamination being in the former province. In New Brunswick, the question is local but chiefly international, owing to the fact that a portion of the watershed of the St. John river lies within the state of Maine.

It is not contended that the dangers at present existing in the various provinces are identically the same either in degree or in fact, but there exist the same underlying principles that provincial legislation alone will not solve the difficulties. It requires some other authority, viz., that of the federal government to deal with them, particularly those of an international character. It will be for the Commission of Conservation to investigate the various watersheds, collecting all available data with the assistance of the several provincial and local health authorities, in order correctly to estimate the character, quantity and variety of the various pollutions at present existing and to ascertain their exact point of discharge and their bearing upon the present sources of water supply of towns and cities, both near and remote from the point of discharge; and further, to consider and recommend ways and means for the abatement of these nuisances, having always in mind that the health of the citizens of this country is paramount,

but ever remembering the necessity for the fostering of agriculture and the development of manufacturers.

I have read this for two purposes, in order to show that I have not overlooked and am not trying to evade or shirk the difficulties involved in the case. I know that this question is interprovincial, and that it is international, and besides I know that it presents very great difficulties which I am not competent to solve, which I am not going to try to solve, and which my Bill does not in the slightest way, so far as parliament is concerned, endeavour to solve. The Bill provides for one thing, and that thing only, and that is to sanction the principle that we shall not any longer pollute the water we drink, and that is all it applies to. It applies only to navigable waters; it does not apply to waters over which we have no jurisdiction, or over which our jurisdiction may be doubtful, but only to rivers over which this parliament manifestly has jurisdiction. It only affirms the principle as far as those rivers are concerned that there shall be no contamination. We cannot make the Ottawa river pure unless we protect the waters flowing into the rivers also. All the navigable waters are in the same position. Having in view these difficulties, which I repeat I am not attempting to shirk, I have limited the enactment to a simple declaration on the part of this parliament, that the pollution of the rivers must cease, and that any one, whether a corporation or an individual, who is guilty of contaminating the water, is liable to a penalty. Having created the offence, and provided for the penalty and a remedy, I go on and provide for the preparation and enactment of regulations to be made by the Governor in Council and administered by the Minister of Agriculture. The difficulties of each locality will be considered by the government on reports of the officers of the department of public health, and regulations will be enacted, and so far as they can be made general I have no doubt they will be. Special regulations may be made; each case may be treated individually if necessary. Take for instance the city of Ottawa, it would be unfair and impracticable to tell the citizens of Ottawa, 'You cannot, after this Act goes into force, dump sewage into the Ottawa river.' The city would naturally say: 'We must have time to prepare for it.' Under the regulations, the Governor in Council may give whatever time is necessary for the purpose. Again, what will do in Ottawa may not do in Aylmer, and what will do in Ottawa may not do in Montreal, and vice versa. The different localities will have to be treated separately. The circumstances governing each case will have to be looked into and made the subject of regulation. Then the regulations will also provide for the issue of permits. It may happen that in some cases there may be no immediate danger to the public health by allowing the present practice to continue. If that can be shown to the satisfaction of the department charged with the administration of the law, the department will issue a permit that it may be done. Hon. gentlemen will notice that the whole of the Bill is not to go into force until so proclaimed in the 'Canada Gazette,' by the Governor in Council, with the exception of the provision which concerns the regulations. Hon. gentlemen will see at once how necessary it is that that part of the Bill should come into force on its passing. But the other provisions of the Bill shall only come into force when the department, having made due inquiry, after having the advice of competent men and experts, is in a position to frame regulations to cover the whole case, so that the measure is not a drastic one. It is not an arbitrary one. It is one, I admit, which throws the responsibility very largely for its enforcement on the government. I do not see how it could be otherwise. I recognize how impossible it would be for this House or any committee of parliament to devise regulations or provide means which would be adequate and at the same time not injurious or unduly oppressive on certain communities. The matter is one which requires a great deal of study and very careful investigation and very deep thought and consideration. In order to show that this Bill, if adopted, will be enforced, I may say that it has received the sanction and approval of all the large provinces of Canada. The various governments of Canada have given their assent to its provisions. They are prepared to come to Ottawa and

aid the Dominion government in having it duly enforced. It has received the approval of the Conservation Commission. Consultation was held between the Commission and the representatives of the various provinces, and all agreed that this Bill should be passed, and that they would submit to it, and that the provinces are willing to pass such legislation on their part as will implement it and render its enforcement absolute. I may be permitted to quote an abstract from the public health convention held in the province of Quebec in 1910. Paragraph 5, which I will translate, is as follows:

> The increase in the number of typhoid fever cases in the municipalities in which the aqueducts have, up to the present, been open to the suspicion of not being in good order, demonstrates that the pollution of our watercourses goes on progressively increasing, and, in consequence, as much for the protection of the aqueducts already established as to render more difficult the establishment of new aqueducts without proper provisions for our increasing population, it is desired not only that the authorities shall not tolerate the increased pollution of watercourses, but that they shall by all means possible, either through federal or provincial legislation, enact laws which will completely suppress as nuisances the pollution already existing.

This is from the province of Quebec. Similar views are entertained by the provinces generally. I have not the slightest doubt—I say it on the best authority—that if parliament enacts this law, the provinces will co-operate in every conceivable way in their power for its proper enforcement. Section 9 of the Bill provides:

> 9. The Governor in Council, when it is shown to his satisfaction that the public interest will not be injuriously affected thereby, and with due regard to the interests involved and to the circumstances, means and requirements of the locality or district, may, from time to time, by proclamation published in 'The Canada Gazette,' declare any such waters, or part or parts thereof, exempted in whole or in part from the operation of this Act, and on such conditions and terms as he may prescribe, and may, from time to time, revoke such proclamations.

Hon. gentlemen will see at once that no possible injustice or even inconvenience can be imposed by this measure on any one. The Governor in Council may, if it is shown that it is not against the interest of public health, suspend the Act for a time in the interest of any municipality which might find the provisions of it too severe, or which would find that the regulations cannot be complied with at once. Such municipality may apply to the Governor in Council for a suspension of the Act for such a time as may be necessary to enable it to put itself in a position to comply with the law. Hon. gentlemen will see that every possible means, so far as I could devise them, have been adopted for the purpose of preventing arbitrariness, inconvenience or great loss; the object of the Bill being to prohibit once for all the dumping of all noxious and contaminating matter into our sources of water supply. I propose that this Bill shall be referred to the Senate Committee on Public Health. I do not claim more wisdom for my Bill than is necessary, and I am quite conscious of the fact that that committee would be in a position to perhaps very materially better the measure, and possibly it might be very advantageous that the committee should have an opportunity of hearing witnesses and experts on the subject and possibly devising some better means of accomplishing the purpose in view. I hope that this House is ready to do the one thing which the second reading of the Bill calls for, and that is to stop this criminal, idiotic and barbarous practice of draining human excreta into the sources of water supply, that it is going to end, and end as soon as this parliament can put a stop to it.

Hon. Mr. CAMPBELL—I have listened with a great deal of attention to the remarks of the hon. gentleman from Ottawa, Last year, when this Bill was brought forward, I thought it was a measure that deserved very careful and serious attention. Since that time, it has seemed to me that something should be done, and now is a very opportune time to bring it forward again. The epidemic that has broken out in Ottawa is clearly traceable to the fact that the water of the Ottawa river, from which they draw their supply, is polluted. That seems to me a sufficient reason for pressing the Bill through the House and let the government enforce the Act. An epidemic like this which prevails at Ottawa, may break out in any community in the Dominion. The fact is, our sources of supply are being polluted in almost every town

and city. It is quite a common practice to dump sewage into the nearest stream, and that stream may be the source of supply for some other town or city further down, or for a whole district. Therefore, it seems to me this legislation is introduced none too soon. Whether the remedy proposed in this Bill is sufficient or practicable, I am not prepared to say. I think it is: it calls only for the protection of navigable waters which clearly come under the jurisdiction of this parliament. If we can do anything to prevent the pollution of the water supply of our cities and towns, it is certainly our bounden duty to do so. The hon. gentleman from Ottawa deserves the commendation, not only of this House, but of the people generally for having brought this very important measure before parliament. It is a most serious question, not only in Ottawa, but throughout the whole country. The Bill should receive its second reading and go to the committee referred to by my hon. friend, and I hope they will be able to report it back to the House.

Hon. Mr. MACDONALD (British Columbia)—I hope the House will support this motion. It is a great sanitary Bill. Unfortunately we have before us the case of the city of Ottawa, where an epidemic of typhoid prevails to-day. The municipality has gone on for years with its eyes blind to the fact that it has been polluting the waters of the Ottawa.

Hon. Sir MACKENZIE BOWELL—The statement made by the hon. gentleman in reference to the epidemic which prevails in this city calls for the exercise of any power that parliament may possess to prevent further pollution of the sources of water supply. I should like to know whether those who live along the banks of the Ottawa are afflicted in the same way as the people of this city are? The people who live along the banks of the Ottawa, I presume, are drinking the same kind of water that is used here?

Hon. Mr. BELCOURT—The answer to the hon. gentleman is to be found in the tables I have quoted. Take the table showing the condition at Fort William.

Hon. Sir MACKENZIE BOWELL—I am speaking of the Ottawa River. Has the same affliction fallen on the people who live along the banks of the Ottawa, outside of this city?

Hon. Sir RICHARD SCOTT—As a rule they do not use river water. They generally use spring water.

Hon. Mr. BELCOURT—The only figures I have here are with reference to Ottawa and Montreal for the year 1909. I have no more recent figures than those.

Hon. Sir MACKENZIE BOWELL—The answer of the hon. gentleman opposite (Sir Richard Scott) does not meet my question. It may be that many villages situated on the banks of the Ottawa use spring water. There are many cases in which well water in country localities is as deleterious to health as river water.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the debate be adjourned until Tuesday next.

The motion was agreed to.

BILL INTRODUCED.

Bill (60) An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.—Hon. Mr. Belcourt.

The Senate adjourned until Tuesday next at Three o'clock.

THE SENATE.

TUESDAY, February 14, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (S) An Act to incorporate the Albert and Moncton Railway Company.—Hon. Mr. McSweeney.

COST OF RIGHT OF WAY OF GRAND TRUNK PACIFIC.

INQUIRY.

Hon. Mr. LANDRY inquired:

What has been, up to date, the cost of the right of way of the Grand Trunk Pacific, across the county of Quebec?

Besides the amounts paid for the land, what were the sums paid for legal expenses?

To whom (giving the names) have these amounts been paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —I am informed by the Department of Railways, that while there is no objection to giving the hon. gentleman the information he requires, it is so voluminous that it will have to be moved for as a return, I therefore ask him to change his question into a motion for a return, which will be granted at once.

Hon. Mr. LANDRY—It is always the same system. I am simply asking for a lump sum. I do not require a return for that, and do not desire to put the employees to the trouble of preparing a voluminous return.

Rt. Hon. Sir RICHARD CARTWRIGHT —If I read the hon. gentleman's question aright, he asks the cost of the right of way and the amounts paid for the land and the sums paid for legal expenses, the names, etc. That would surely involve a very great many details.

Hon. Mr. LANDRY—I thought they would raise that objection. In that department they are very refractory and do not want to give information. I do not want the details at all, simply the lump sum cost for each county.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no doubt I can give the hon. gentleman that.

Hon. Mr. LANDRY—In addition to that, I want to know what was paid for legal expenses?

Rt. Hon. Sir RICHARD CARTWRIGHT —If there were a number of claims settled, it might involve details.

Hon. Mr. LANDRY—I mean what was paid to the advocate and the notaries. It is in addition to the cost of the land?

Rt. Hon. Sir RICHARD CARTWRIGHT —Let the question stand, and I will call the attention of the department to it, but judging from the way in which it is framed, I should say they would have to bring down a voluminous return.

Hon. Mr. LANDRY—I do not want a voluminous return at all; I want the bulk sum spent for that county. There are three or four or five parishes, I do not want it by parishes.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will call the attention of the department to it. They would of course be very glad to prepare an answer in preference to a return.

SERVICES OF MR. JOSEPH VIEN.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the amount claimed from the government by Mr. Jos. Vien, of Lévis, advocate, for his professional services in connection with the purchase of the Carrière-Lainé property?
2. Is Mr. Vien still the authorized agent of the Department of Justice?
3. When did this mandate expire?
4. Why does the government refuse or at least delay the payment of the amount of Mr. Vien's claim?

1. The amount now claimed by Mr. Vien and which he is willing to accept has been taxed and certified by the Department of Justice at $2,875.78, including disbursements.
2. He is not agent of the Department of Justice except as he may be from time to time instructed to act in cases as they may arise.
3. He has completed this transaction.
4. The government has not delayed payment of the claim except for the necessary adjustment of the proper amount of it. Application has been made to the proper department for a cheque in payment of the same.

COST OF RIGHT OF WAY OF GRAND TRUNK PACIFIC.

INQUIRY POSTPONED.

The order of the day being called:

By the Hon. Mr. LANDRY:

What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Montmagny?
Besides the amounts paid for the land, what were the sums paid for legal expenses?
To whom (giving the names) have these amounts been paid?

Hon. Mr. LANDRY—I suppose this inquiry is in the same position as the previous one, and will be allowed to stand?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

THIRD READING.

Bill (66) An Act respecting The Brockville, Westport and Northwestern Railway Company.—Hon. Mr. Jones.

GRAIN BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second reading, Bill (Q) An Act respecting Grain.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the order of the day be postponed until Wednesday of next week.

Hon. Mr. ELLIS—Why not proceed with it sooner? The Senate is crying out for work to do, and a suggestion has been made to ask the other House to furnish us with material with which to go on. Here is an important Bill which we are asked to put off for a week. I think we ought to go on with it this week.

Hon. Mr. YOUNG—The Bill contains 71 pages and many interests are affected; it is only now being distributed.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is a good reason why I have not objected to its being postponed. The Bill is a very important one. Although the clauses which we introduce are few in number, they involve a good many interests, and probably it would be as well to give time to communicate with the parties chiefly affected. That can hardly be done in less than a week. I do not think any time will be lost because I shall have to adjourn it for a considerable time after the second reading. Personally I am quite ready to go on with it now.

Hon. Mr. LOUGHEED—How does my hon. friend intend to give wider publicity to the Bill for the purpose of enabling us to discuss it more intelligently?

Rt. Hon. Sir RICHARD CARTWRIGHT —The moment the Bill is distributed, I make no doubt the new clauses will all be telegraphed in full to the press and the various parties interested, especially to the grain growers in the west, the grain exchanges at Winnipeg, Calgary, Montreal and elsewhere. The clauses, as I say, are few, though they are important, and there will be very little difficulty through the telegraph and the press in giving wide publicity to the new features now that the Bill has been laid on the Table of the House. It is our desire that full publicity should be given, so that all the interests affected—and there are a good many—may have a full opportunity of placing their case, whatever it may be, before parliament.

Hon. Mr. LOUGHEED—I am not aware of what course my hon. friend intends to pursue in presenting the Bill for a second reading. Does he intend to go into a long explanation of the new clauses?

Rt. Hon. Sir RICHARD CARTWRIGHT —Not unnecessarily long; but I intend to explain them as fully as it appears to me they require explanation.

Hon. Mr. LOUGHEED—Would it not be well to take the second reading now with the explanations which will be of interest to us and the country, and my hon. friend's speech can go out with the Bill, so that when it comes up again we will be in a position to discuss it more intelligently?

Rt. Hon. Sir RICHARD CARTWRIGHT —With that understanding we will name Thursday. I shall make my remarks on Thursday, and we can finally close the second reading the following Wednesday. That will meet the objection taken by my hon. friend and give a fuller opportunity than we might otherwise have of acquainting the public of the contents of the measure. I move that the order of the day be discharged and that it be made an order for Thursday, with the understanding that the second reading will not be pressed until Wednesday of next week.

Hon. Mr. YOUNG—There is another course which could be followed. The second reading could take place now and then a considerable time should elapse between the second reading and the committee stage. The object desired could be attained by giving the parties interested copies of the Bill. If they have any sug-

gestions to make they can be considered in committee of the whole equally well.

The motion was agreed to.

BILLS INTRODUCED.

Bill (51) An Act respecting the Alberta Irrigation Company.—Hon. Mr. De Veber.

Bill (75) An Act respecting the McClary Manufacturing Company.—Hon. Mr. Coffey.

Bill (76) An Act respecting the Ontario, Hudson's Bay and Western Railway Company.—Hon. Mr. Ross (Middlesex).

Bill (81) An Act to incorporate the Canadian Northern Branch Lines Company.—Hon. Mr. Young.

Bill (88) An Act respecting the Bay of Quinte Railway Company.—Hon. Mr. Jones.

Bill (89) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Lavergne.

Bill (90) An Act respecting the Indian River Railway Company.—Hon. Mr. Lavergne.

Bill (100) An Act respecting the Orford Mountain Railway Company.—Hon. Mr. Lavergne.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

WEDNESDAY, February 15, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (T) An Act for the relief of Matilda Emo.—Hon. Mr. Owens.

Bill (20) An Act respecting the Mather Bridge and Power Company.—Hon. Mr. Gibson.

Bill (62) An Act respecting the Algoma Central and Hudson's Bay Railway Company.—Hon. Sir George Ross (Middlesex).

Bill (69) An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Jones.

Bill (80) An Act respecting the Buffalo, Niagara and Toronto Railway Company.—Hon. Mr. Riley.

Bill (83) An Act to incorporate the Simcoe, Grey and Bruce Railway Company.—Hon. Mr. Campbell.

BETTER DISTRIBUTION OF LEGISLATIVE WORK BETWEEN THE HOUSE OF COMMONS AND SENATE.

MOTION.

Hon. Mr. DAVID moved:

That a message be sent to the House of Commons, requesting that House to unite with the Senate in the formation of a Joint Committee of both Houses for the purpose of devising means and reporting thereon for a more even distribution between the said Houses, in future, of the legislative work requiring to be done during the session of parliament; and that the members of said Joint Committee to act on behalf of the Senate be composed of the Right Honourable Sir Richard Cartwright, G.C.M.G., the Honourable Sir Mackenzie Bowell, K.C.M.G., and the Hon. Messieurs Lougheed, Béique, Power, Belcourt and the mover.

He said: I do not think this motion requires explanation; it speaks for itself. I intended to extend the scope of the duties of this committee, but was conscious that I ought to keep within the limits of the motion, as it is worded, and authorize the committee to consider only the question of the best means to be adopted in order to have a more equal distribution of the work of the session of parliament between both Houses. My object is very simple. I want to show that this House is willing to do what is fair and proper in the interests of the country, and if the Senate is idle during the first weeks of the session, and if Bills are crowded on us at the close of the session en bloc, it is not our fault. If there is not more legislative work done by the House during the first half of the session it is not our fault. I think we owe it to the dignity and honour of this House, in view of the discussion which has taken place in the press of the country, to show that we are willing to do our part in the legislation that comes before parliament. If a committee is appointed, it cannot but have a good effect. It will tend to promote harmony between the two Houses. I am convinced that the

committee, if appointed, will submit a report which will contain practical suggestions, and it will be the duty of the government to consider those suggestions and put them in practice. It is unnecessary to say more until I hear objections which may be made to the motion. I was told by some members that other names should be added to those I have mentioned. I have no objection to increasing the number.

Hon. Mr. MACDONALD (B.C.)—The hon. gentleman may not be aware that this kind of a scheme has been tried before. The Senate has tried to get a larger amount of work from the lower House, and the government have promised from time to time to give us more business. But it must be borne in mind that many government measures are money Bills and must be introduced first in the House of Commons. To ask members of the House of Commons to give us their Bills first is like asking them to give up their birthright. Their constituents put the Bills in their hands, and naturally they would not surrender them to us. Of course there is no harm in trying what can be done. But does not the fault rest with us? Bills come before us and many members do not spend five minutes discussing them. The discussions which do take place are meagre and short. Half the members of this House, I venture to say, do not know the Bills which pass. If we had more vigorous and younger men amongst us, things might be different. Men like myself, and many others in this House have lost their interest, their time has gone by, they are getting old and deaf and cannot hear what is going on. The House requires to be revolutionized and reconstituted. Half the number of senators would be sufficient. If we had forty instead of eighty members, the work would be done just as well. The same remark applies to the House of Commons. There they have over two hundred members and not fifty of them take an active interest in the work of the House. A great deal of time and expense could be saved to the country, and the work would be done just as well, if the representation were reduced one-half. I should like to see such a reduction in both Houses. There is no harm in passing this motion, but I do not think it will do any good.

Hon. Mr. LANDRY—I should like to know the opinion of the leader of the Senate on this subject?

Rt. Hon. Sir RICHARD CARTWRIGHT—I shall be very pleased to hear the opinion of my hon. friend; later I shall give him my opinion.

Hon. Mr. LANDRY—I am not yet the leader of the Senate.

Rt. Hon. Sir RICHARD CARTWRIGHT—I see no objection to the motion. The committee may possibly devise some means of obtaining a little accession to the work which we do, and which, if all the members were as industrious as my hon. friend, would probably occupy our time very fully.

Hon. Mr. ELLIS—I would like to have some assurance that the House of Commons would receive such a proposition as this from us in the proper spirit. In the absence of that information, I am opposed to the motion. If the Senate would show proper respect for itself, it would go to the House of Commons and ask them if they would be prepared to co-operate with us before passing the motion. My opinion is that the other House would not do so. It might tend to put the Senate in a better position before the country, inasmuch as it would show that we are willing to do more work if it were offered. On the other hand, the refusal of the House of Commons to accept such a proposition would not be to our advantage.

Hon. Mr. LOUGHEED—I am somewhat disappointed that the mover of this resolution did not suggest in the remarks that he has made how he would propose to have the volume of business introduced into this Chamber increased. It seems to me that my hon. friend must have given some consideration to that phase of the question before putting this motion on the Order Paper. If he has any solution of the problem it should be presented to the House. I cannot forbear pointing out to the hon. gentleman, that as each session goes by the House of Commons is less dis-

posed to show a friendly feeling towards this Chamber. Scarcely a session goes by without a resolution being made to abolish the Senate, or to reform the Senate, and in other ways to handicap the performance of public duties by this body. My hon. friend should not overlook the fact that the government has more to do with this question than the House of Commons. If the government was favourably disposed towards making this body a factor of influence in the transaction of public business, they would easily find a solution of the present difficulty. It seems to me that through the government itself and through the House of Commons nothing is left undone to discredit the Senate of Canada—in fact we have a combination of forces opposed to the usefulness and importance of the Senate, namely, the government, the House of Commons and the press of the country, and unless my hon. friend is disposed to present to this Chamber a solution whereby that difficulty may be overcome in the working out of the resolution which he has submitted to the Chamber, I am at a loss to understand what good will proceed from its adoption. I am not prepared in any way to oppose it; but it would certainly be humiliating, in my judgment, that a resolution of this kind should be passed and a committee of this Chamber should solemnly approach a committee of the Commons and ask for a division of the business before parliament which, up to the present time, they are not at all disposed to delegate to this House or to divide with this House. On the other hand, in every possible way they are disposed to discredit it, not only by resolutions in the Commons, session after session, but by sentiments expressed on the stump and on public platforms in the country, and in every other conceivable way. It seems to me it is a much larger question than the hon. gentleman from Mille Isles is disposed to consider, and it is pre-eminently a question for the government to take up, and to which they should give their best consideration. This second Chamber is interwoven into our constitution, and probably for all time Canada will have a second Chamber. I do not think the sentiment of the country is disposed to wipe out or abolish the second Chamber. If the Senate has not that influence to which it is entitled, then it is purely a problem for the government to solve, and I am satisfied that not only this Chamber but the country is prepared, in fact is anxiously waiting from time to time, to know what the government is going to do to place the Senate of Canada in a position which it has occupied in the past, and which it should occupy to-day, but which is being jeopardized more and more every session of parliament.

Hon. Mr. CLORAN—The hon. leader of the opposition just expressed the views I hold on this matter, and I am glad to be able to endorse what he said, that the solution of this question does not lie in any joint discussion between the members of this House and the House of Commons. For reasons which we can understand, any member in the House of Commons who has private legislation to bring before parliament is not going to confide it to the hands of any member of this honourable House; so that as far as private legislation is concerned, no matter what it may be, it will not come voluntarily from the House of Commons to the Senate. That is a condition we must admit and one we must accept. Therefore, the only solution of this question of making the Senate useful while it sits, instead of saying prayers and listening to a series of questions and answers, rests with the government who must take a hand in the matter. We are not entitled to any private legislation at the hands of the members of the House of Commons, but we are entitled to legislation at the hands of the government, and the government of the day should see to it that the Senate should partake in the fullest measure possible of the business which is before parliament. I find on the Order Paper to-day three measures which originated in the House of Commons under the sanction or control of the government. The second order of the day is an Act to prohibit the improper use of opium and other drugs. That could have been well introduced into the Senate, and could have occupied our time when we were doing nothing. I can quite understand that the government cannot confide to this House

the study of questions which involve political party issues or party results. That pertains to the House of Representatives elected by the people, where grave political issues are at stake. The minister is responsible and should control the original discussion ; but I see no reason why questions which do not involve political or party issues should not be submitted by all the departments to this Chamber. Then we have another order of the day, 'An Act to amend the Immigration Act.' The Senate is quite competent to deal with that question. It is simply a departmental matter, and why should we not have it introduced in this House so that we could occupy our time with it. There is another order of the day, 'An Act to amend the Chinese Immigration Act.' That involves no political question. There may possibly be a little on the side, but here we have three orders which could be introduced into this Chamber.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would call the hon. gentleman's attention to the fact that the Chinese Act was introduced into this House.

Hon. Mr. CLORAN—Then I stand corrected. That is so much, but it goes to prove what I say, that if the government can introduce one measure it can introduce three or four or ten. The exception in this case proves the rule, I am advocating, and I can fairly understand why we do not have all the legislation in the initiative steps when the House of Commons is entitled to it. On private grounds, individual members, should initiate private legislation entrusted to them, and the government itself should introduce great measures with political effects and political results regarding the political interests of the country. On the whole, I think the solution of the question rests mainly in the hands of the government, and I quite agree with my hon. friend in saying that this House will receive very little consideration at the hands of the House of Commons in asking for a remedy.

Hon. Mr. EDWARDS—If I may be permitted to say it, my opinion is that there is no question at all to solve. I think it is high time that this Chamber should cease calling attention to itself. I have a different view entirely as to the value of the Senate from a great many people who spend their time discussing it. I do not mean in the House; but I mean outside of it—perhaps in this House as well. It is not in the nature of things possible for this House to engage itself for the number of days or months that the other chamber does in discussing questions that are before the country. In so far as legislation is concerned, no Bill passes the House of Commons that does not come under the consideration of the Senate before it becomes law. I have had a very considerable experience in the lower House, and I think have a very fair knowledge as to the value of the consideration which the Bills receive in this Chamber and the other, and I certainly would not put this Chamber second to the Commons in that respect. Bills receive far better consideration in the Senate than they do in the Commons. Is that not after all the practical legislation of parliament? If this House were engaged in discussing want of confidence motions, incurring prolonged debates with political tactical objects, as is the case in the Commons, and not objects of legislation at all, we could be employed in the same way; but as a revising body, which it properly is, revising the legislation which comes from the other House, and not engaging in party issues, this Chamber must, of course, be engaged for a much shorter period of time. If there is a mistake at all it is sitting too many days. It is my humble opinion perfect nonsense to endeavour to pretend to the country that because we are sitting here we are doing something. All the business which the country offers to be done is dealt with by the Senate, and when this Chamber performs that duty well, it performs its whole duty; so that I think this great problem as to the value of this Chamber and what it has to do to keep it employed, is perfect nonsense. We perform the duties that devolve upon us, and when we have done that, we have done our whole duty, and I think that is all that is required of us.

Rt. Hon. Sir RICHARD CARTWRIGHT —As my hon. friend has intimated that the

government should take charge of this question, I have no objection to give him the benefit of my own views; but I speak at the present moment rather personally than as a member of the government. I have on more than one occasion entered at length into the question of a possible reform of the Senate, and have made diverse suggestions some of which I think would have greatly tended to increase the weight of this body if they could be carried out. They were not very earnestly backed by members on either side. One of them, which perhaps my hon. friend would appreciate, is this: I am decidedly of opinion that in the Senate the opposition of the day should be represented more than they were during the period before we came into office, and more than they are likely to be under the existing system. That is a reform which goes to the very foundation of constitutional principles, and is a thing that I think in the not distant future will have to engage the attention of both Houses of parliament very probably, as well affecting the House of Commons, as effecting the Senate. As to the other question which he has raised, my hon. friend who has just spoken has, I think, said truly, that the work of this House is largely that of a revisory body. It is not advisable, as a rule, although there may be exceptions to it, that measures should be introduced into this House which are pertaining to departments not represented here. There is a very great convenience in a measure being first introduced in the House by the minister to whose department it especially belongs, and I think it is desirable that it should be threshed out in the House of Commons first, and sent up to us, for the purpose of being considered and revised if we find there are any points to which objection may fairly be taken. As to the other matter which has been alluded to, the desirability of having more members of the government in the Senate, I can hardly express an opinion. I would like very much to have an additional colleague or two here if I could get them ; but every hon. gentleman knows that in the spending departments there is, under our system, almost a necessity that the minister should be on the floor of the Commons. It has been represented and suggested by some of my hon. friends that the continental plan might advantageously be adopted, under which ministers are allowed ex officio to present themselves when they had measures on hand in either Chamber for the purpose of explaining, though, of course, they can only vote in the one Chamber to which they have been elected or selected, as the case may be. That possibly might be done with advantage. The other plan which I would have favoured more if I had had my own way in the matter, would have been that we should have adopted the English custom, and that we should have perhaps a smaller cabinet, and perhaps a very much larger number of under secretaries. As hon. gentlemen know, our Chamber here is modelled to a certain extent, as far as circumstances permit, on the House of Lords. There the cabinet of the day is fully represented, and, for that reason, under secretaries are able to take their places in one or another of the two legislative bodies, either the House of Commons or the House of Lords, and, therefore, the difficulty that I have alluded to is less frequently felt. Now in reference to the matter in hand, it is not a governmental matter, it is a matter for the Senate in its wisdom to refuse to grant, bearing in mind what has been said in the other Chamber. I may remark, however, that the propositions which have been made in the other Chamber for the abolition of the Senate have not met with any great favour. On the last occasion, they were rather ignominously snuffed out. I can understand that a discussion between gentlemen of the other Chamber, if they choose to appoint them, with the members of this committee may lead to some considerable useful result, and in any case, as my hon. friend said himself, would tend to remove one cause that has been alleged against the usefulness of the Senate, to show that we on our part were quite prepared to accept additional work if we found that it could be granted to us. I remember suggesting some considerable time ago that there were fairly good reasons why large classes of private legislation should be compelled to initiate here just as divorce Bills are compelled to initiate here. I am still of that

opinion. It would give additional employment to the Senate, and in a great many cases the Bills would be better considered than they are always in the other Chamber. That, however, is a matter of opinion. Although the matter is entirely in the hands of the Senate themselves, on the whole I think the motion of my hon. friend can do no injury to us, and it may be productive of some good consequences and for that reason I am disposed to support it.

Hon. Mr. DAVID—I think it proper to answer the hon. gentleman from St. John (Hon. Mr. Ellis). He said we have nothing to warrant us in believing that the House of Commons would entertain the motion. I have reason to believe that the motion will be well received. I cannot say more, but I can go as far as that. In answer to the hon. member from Calgary (Hon. Mr. Lougheed) if I could solve the question myself I would not ask for the appointment of a committee. A committee composed of members of the two Houses should be able to make a report which will offer a solution of this question. As to the suggestions which might be offered, the leader of the House has said enough to show that there are many suggestions which could be taken into consideration. In this House, three or four years ago, and at various times before that, the subject was discussed and many good suggestions were offered. Naturally, it is difficult to make a choice; but all these suggestions would be considered in the committee and the report upon them would have more weight than suggestions made by individual members of either House. The report would have great weight with the government and the public generally. Hon. gentlemen may remember some three or four suggestions which were made for the solution of the question, and which at the time were considered practical. One suggestion was that more members of the government should be in the Senate in order that they might be in a position to introduce their Bills here. Another suggestion was to the effect that either ministers themselves or their secretaries should be authorized to come here and initiate government measures. Another suggestion was—and the right hon. leader of the House has made allusion to it—that certain classes of Bills should be initiated in the Senate, so that there is enough to show that the committee should be able to make a report which would have very practical results.

The motion was agreed to on a division.

THE NORTHWEST COMMISSIONER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who is the present Commissioner of the Northwest?
2. When was he appointed? Where does he reside? What is his salary?
3. Has the Governor in Council appointed councillors or commissioners of the Northwest Territories?
4. Their number and their names?
5. Their residence?
6. What is the present location of the seat of government in the Northwest Territories?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the questions are:

1. Frederick White.
2. August 24, 1905. Ottawa. $1,000 per annum.
3. No.
4 and 5. Answered by No. 3.
6. Ottawa.

THE OPIUM AND DRUG BILL.

IN COMMITTEE OF THE WHOLE.

The House resolved itself into a Committee of the Whole in Bill (No. 97) An Act to prohibit the improper use of opium and other drugs.

(In the Committee.)

Hon. Mr. LOUGHEED—Is it the policy of the Bill to give authority to those who prepare and place drugs on the market for sale? In looking casually over the Bill I do not find that to be the policy of the measure. It seems to me that this class of business cannot be effectively and efficiently regulated except the sanction of the government is first obtained. Such preparations now put on the market are so numerous and so deleterious in their mixture that unless proper authority is secured we cannot limit the injury which they do. There is no greater reason for licensing the sale of liquor by the provincial authorities than for licensing the pre-

paration and sale of drugs by the federal government. There is more injury done to the community through the promiscuous sale and use of drugs than through the sale of liquor. There is scarcely a drug known as a patent medicine which does not contain a large percentage of alcohol.

Hon. Mr. McMILLAN—Or opium.

Hon. Mr. LOUGHEED—It seems idle to legislate that if drugs contain opium or narcotics of any kind, that those who prepare them shall come within the pale of the law. The only efficient way to deal with this subject is to require that the authority of the government shall first be obtained before these drugs are placed on the market, and I am very much disappointed that is not the policy of the government to-day. The law relating to this matter cannot be made too restrictive, and the government should reserve to itself authority to sanction the placing of any drug on the market.

Rt. Hon. Sir RICHARD CARTWRIGHT —Has my hon. friend looked over clauses 4 and 5? I think we had better consider his objections when we come to those clauses. I would ask him to read clause 3.

Hon. Mr. LOUGHEED—The preparation is made and placed on the market without the sanction of the government. I should like to see the Bill made more restrictive. I should like to have the government say to every patent medicine man: 'You cannot put any patent medicine on the market without first obtaining the sanction of the government.' This would enable the government to thoroughly examine every patent medicine before issuing the necessary permission for placing it on the market; but the difficulty of the policy of this Act lies in this, that it necessitates the intervention of an individual before the law can be set in motion to punish the offender. I hold that all legislation of that kind is pernicious, because the government evades the responsibility which should primarily be placed upon it. If those who prepare injurious medicines were obliged to submit their preparations to the government for analysis before being permitted to place them on the market, the injury would be very much less. It should be made a condition precedent, and embodied in this Act, that no patent medicine should be placed on the market without the sanction of the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is a good deal, no doubt, in what my hon. friend says. I am not disposed to join issue with him on the principle without a good deal of consideration, but I would point out this: You make an act, at present lawful, a crime and severely punishable. We ought to be rather cautious about doing that. As I understand my hon. friend, he does not object to the Bill or the provisions of the Bill, but he thinks it does not go far enough, and he would desire that all these various preparations to which he refers should be only dealt in by persons licensed by the government. Is that the position?

Hon. Mr. LOUGHEED—No, not by persons, but the preparation should be licensed by the government.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am rather inclined to think there are provisions in some other Acts which compel parties dealing in anything like this to submit their preparations to the Department of Inland Revenue, and to have placed on their bottles or packages containing them a statement of the ingredients. That, I think, is the existing law. I have no objection at all—and it is a thing this House can very properly exercise itself upon—to consider any suggestions or amendments in the direction of strengthening this Bill which may occur to my hon. friend. All I would say to him is this: that it is highly desirable, if hon. gentlemen think they can improve the Bill, that they should put in black and white the conclusions they arrive at, and give us a day or two to consider them. Of course, that is just one of those matters in which I am at a little disadvantage, because this Bill is given to me by a colleague. It has already been the subject of a long discussion in the House of Commons, and as far as I have observed I do not think the objection my hon. friend takes was taken there. That, of course, proves nothing

against his suggestion, but it would mean, that where this Bill has passed without a division, any material alteration proposed to be made to it here should be extended on our minutes and time given to consider it. I do not refuse his suggestion, nor do I say that I will accept it, because I do not know how far it would go or how he proposes to carry it out; but if he will at present, or in the course of a day or two, apply himself to placing the matter in a concrete form, I assure him it will have the very best consideration not only from myself, but from the government at large. We all understand that this evil is a great and growing one. The particular evil which the Minister of Labour, who had this Bill prepared, had to deal with the consumption of opium. That was what he more particularly wished to deal with, and to enable the government and the magistrates to suppress those institutions known as opium dens, which, I am told, are coming into more or less frequent existence in many of the towns and cities, and likewise, as far as possible, to discourage the use of cocaine and kindred drugs which are now used very largely by the juvenile population, I am told. As he approves of the Bill as far as it goes, I would suggest to him that we can go over it and consider the various clauses, and if other hon. gentlemen have suggestions to make in the line he speaks of, I hope they will be good enough to put them in a form where we can consider them at a later stage. There is no need to hurry the Bill through. We can consider it and leave it in the hands of the committee, and in the meantime he can place on our minutes such suggestions as appear good to him.

Hon. Mr. LOUGHEED—That meets with my approval. In the meantime I wish to have the opportunity to discuss with some medical gentleman in the Senate the preparation of an amendment looking towards the government issuing a permit before any patent medicine is put on the market.

Rt. Hon. Sir RICHARD CARTWRIGHT—I see no reason why we should not go on with the clauses, and I would suggest that my hon. friend might see whether the powers that the Inland Revenue Department now possess do not, to a large extent, deal with the question he has raised.

Hon. Mr. LOUGHEED. No, I think the present Act is of a restrictive character. It provides that not more than a certain percentage of narcotics shall enter into certain preparations.

Rt. Hon. Sir RICHARD CARTWRIGHT—I was under the impression that the proportions of the ingredients should be stated. I propose to go on with the Bill now unless serious objection is taken to any of the clauses.

Hon. Mr. POWER—I do not think the House has any reason to complain of the spirit in which the right hon. leader has submitted his measure. It is the proper spirit that should be shown in dealing with a measure of this kind which is not in any sense a party measure. The intention of the Bill is good, and the Bill, if it can be operated, will do good service. But it occurs to me there is some question as to the jurisdiction of this parliament. Dealing in drugs is a matter of civil rights, of contract and property; and I understand that in the Quebec legislature they have already either passed, or have now under consideration, a measure with the same general object as this.

Hon. Sir RICHARD SCOTT—A stronger Bill.

Hon. Mr. BELCOURT—Might I ask my hon. friend if it is in connection with the Pharmaceutical Association, the association which controls the admission and conduct of the members of the pharmacy dealers in Quebec—is that the Bill he has reference to?

Hon. Mr. POWER.—No. Suppose we pass this Bill and the legislature passes its Bill, may not a serious conflict of jurisdiction arise? My own impression is that the jurisdiction would be rather in the provincial legislature. In order to meet that difficulty, it would be wise for the minister in charge of this Bill, instead of merely providing penalties as is done by the Bill, to provide that the acts which are in a certain sense penalized by the various clauses of this Bill should be

declared to be crimes. There is no question as to the jurisdiction of parliament over the criminal law. If you say that any one who does so and so, shall be guilty of a crime, and it shall be an indictable offence or an offence punishable on summary conviction, you will really solve the difficulty in that way ; but to just enact as this Bill proposes to enact that any man who does so and so shall be punished in a certain way is a very doubtful undertaking. At any rate there is such reasonable ground for doubt as to the constitutional point, that we should consider whether it might not be better to in a slight degree recast the clauses of this Bill, and make the offences crimes.

Hon. Mr. CLORAN—I consider this Bill to be one of the greatest importance to the community at large from two points of view—from the hygienic point of view and from the moral point of view. This Bill involves a restriction and prohibition of a state of things more deleterious and dangerous to the community than even the sale of liquor. The point made by the hon member from Halifax in regard to its constitutionality is, I think, fairly well raised. I am not prepared to say that it should be maintained in the way he put it. There is not the slightest doubt that this parliament can deal with the measure from a criminal point of view and make acts which come under provincial jurisdiction criminal. We have done that in many cases, and I think we can do it in this case. As regards the point raised by the leader of the opposition, that the sale of drugs ought to be licensed, I would agree with the hon. member from Halifax that we would overstep our rights and powers if we attempted anything of the kind. Parliament would have no right to grant a license to sell a drug any more than it would have a right to grant a license or a right to a grocer to sell a pound of tea. That comes within the jurisdiction and powers of the provinces. If it were our right, what would the consequence be? If the government should issue a license for the sale of a drug in every part of the Dominion, it would involve the creation of an army of officers. In the first place, we would have to employ revenue officers and police officers to see that the law was obeyed, just the same as officers are employed by provinces to see that the License Act is observed. You would want to establish courts and a prosecuting attorney for each. It would be inadvisable for parliament to license the sale of drugs, for two reasons, the tremendous cost of putting it in force, and we would also be up against our right to do so. As to the other point raised by the leader of the opposition, that the drugs put on the market should have the imprimatur of the government, that I contend he is right in. The government has a right to exact purity in the case of drugs as it has in the case of tea, coffee or anything else consumed by human beings. If the government has not the power under the Inland Revenue Act, it should be put in this. This Bill is simply an addition to the Criminal Code. There should be a clause, if it is not there already, empowering the government to analyse those drugs and give their imprimatur and say what are the only ones that can be put on the market, and with this understanding, that because a drug has the sanction of the government it would be no reason for its unrestricted sale.

That drug should be liable to an analysis again by any man who would have a complaint against the drug, the same as liquor. Liquor is licensed, and the law enacts that it shall be pure; but that does not prevent any association of men or women, or the Crown itself, from taking action against the very men whom they license, for the sale of improper liquor. Therefore, the contention of the hon. leader of the opposition in this regard is perfectly justified. The government should exact from the vendors of these drugs purity in their fabrication. The evil flowing from the use of these drugs is greater than you can realize, especially those who are not accustomed to go into the courts of our large centres of population. It is amazing to see how many of our people, not the humble, not the poor, and not what we call in general language the degraded, become victims of their appetite for opiates, even in a worse form than the victims of alcohol. They are people more or less high in

society, in all classes, in the professional ranks, among our ladies and gentlemen, and, unfortunately, in the city of Montreal and the other large centres we find that children of tender age, fifteen to twenty, are to-day victims of the drug habit. So that the community will exact from parliament, not an ordinary measure of protection, but a measure of restriction and prohibition, if you possibly can get it, against the inordinate and the too common use of these drugs, and that the sale of these drugs shall be under the strictest supervision and under the heaviest penalty that parliament can reasonably inflict. These are considerations which justify the introduction of this Bill, and which would justify parliament in making the measure as prohibitive and as restrictive as possible, at the same time recognizing the fact that in medical and commercial life and other walks of life such drugs are necessary, the same as the use of a revolver or gun, or the use of alcohol. Parliament here and in the different provinces have taken steps to protect society against the too common use of dangerous weapons. Drugs are on the same plane as dangerous weapons, so that I am heartily in accord with the leader of the opposition when he asks the right hon. leader of this House to make this measure as effective as possible by way of restriction, by way of supervision and penalty.

Hon. Mr. KERR (Speaker)—I would suggest the advisability of permitting the clause to stand over. I call attention to the fact that there are now three Bills before parliament dealing with the subject. This is Bill 97, and was a Bill introduced by the minister, Bill (No. 22), which has not the same phraseology, but which deals with the same question and makes it an indictable offence.

Hon. Mr. LOUGHEED—That Bill has not come down yet.

Hon. Mr. KERR—No, but that measure provides that any person is guilty of an indictable offence who manufactures, sells, &c., and it gives the list of drugs. It may be that the minister has decided to abandon that Bill, and to put it on the lines of the other; but I think it is advisable that we should know that. There are also other provisions in the Bill, and it would appear to me to be a foolish thing to have two Bills on the subject, one overlapping the other. In Bill 22, the question of criminal law seems to be considered, and therefore it is that such sale is declared to be in indictable offence. That Bill was introduced by Mr. King on the 20th of November. In addition to that, there is a Bill which I think was before the House of Commons yesterday or the day before, introduced by a private member on the 25th November. A Bill respecting the sale of poison, which also declares it to be an indictable offence to expose for sale, &c., a number of items, including three items which are particularized in the schedule of this Bill, together with a host of others, and it would be much more satisfactory to let the matter stand over to know what we are going to do. It is a very unhappy way to deal with the matter to have three Acts dealing with opium passed during one session of parliament, two of them introduced by one department.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am informed that Bill 22 is withdrawn.

Hon. Mr. KERR—That may be. Then there must be some policy in changing it from being an indictable offence and making it punishable by so many convictions. I think we would be making better progress by allowing it to stand a few days so that the three Bills can be looked into. Without any explanation, it seems a little curious that we should be considering the last Bill instead of the other two. There are (Bill 13), (Bill 22) and (Bill 97).

Rt. Hon. Sir RICHARD CARTWRIGHT—To the non-legal mind, it would appear—I make the remark with due submission—that when you declare that a particular act is punishable with not more than a year's imprisonment and a fine of not more than $500, you make it a crime; but I make that remark simply from my non-legal standpoint. It may be necessary to put in the magic words that it is an indictable offence. I do not in the least degree desire to hurry the Bill through, and as there seems to be a good deal of

difference on one or two important questions, I have no objection to adopt the suggestion, and I move that the committee rise, report progress and ask leave to sit again. The matter can be considered again after I have a conference with the Minister of Justice.

Hon. Mr. CLORAN—If we could get a copy of the Bill which is before the legislative assembly of Quebec, it might help us a good deal. We are here to pass legislation which will be effective.

Rt. Hon. Sir RICHARD CARTWRIGHT—Has the Bill been passed?

Hon. Mr. CLORAN—No, it is now under discussion.

Hon. Mr. LOUGHEED—We cannot interfere with them.

Hon. Mr. CLORAN—It is not a question of interfering. It is a question of getting the best suggestions.

Hon. Mr. BEIQUE—I should like to draw the hon. gentleman's attention to some features of the Bill, so that they may be considered before the measure is taken up again. There is no question that part of the Bill is within the jurisdiction of this parliament. Take clause 3, which deals with importations, and sections 5 and 6 deal with exportations. Those provisions are within the province of this honourable House, and section 5 makes it a crime by providing that an infraction of the law is subject to imprisonment for a term not exceeding one year. But there are other provisions of the Bill as to which, I think, the point taken by the hon. gentleman from Halifax is well taken. For instance, section 4 merely deals with certain prescriptions, or certain ingredients, and makes it subject only to a penalty. I doubt very much whether these matters would come within the jurisdiction of this parliament unless the phraseology is changed, and that breaches of the law can be made a crime when they can be reached. I think there is a good deal in the suggestion made by the hon. leader of the opposition, and, in fact, the policy to which he has referred is obtaining in France, where no drug store is allowed to sell any patent medicine, or any regular medicine in boxes or bottles without their being approved by the government. I think legislation on that line would be good legislation. Of course, it may be more in the province of local legislatures than of the Dominion parliament.

Hon. Mr. McHUGH—The Bill limits the sale of these drugs to physicians, veterinary surgeons or dentists, and under certificate they can sell. I hold that that should include the druggists in the country. The licensed druggists have to pass just as rigid an examination as the doctor or veterinary surgeon or dentist. I fully approve of the object the promoters have in view; but I do not think it would be very hurtful to many in the country who are dealing with domestic animals if this Bill, as it now stands, became law. These people know just as well as a druggist what remedy they want when an animal gets sick, and they go to a druggist and ask for certain medicine. In that medicine there is very often laudanum, which is an extract of opium. Perhaps there is not a veterinary surgeon in the vicinity to whom they could apply, and if they were compelled to call in a veterinary the animal might be dead by the time he arrived. I hope the hon. gentleman will improve the Bill by adding the word 'druggist' to the list of those who will be able to sell without having a written order from a veterinary or doctor. In lumber camps, the horses get sick, and the men go to the nearest drug store and obtain medicine. They take with them a supply of this medicine in the fall of the year for emergencies of this kind, but if they have nothing on hand they go to the nearest drug store. They may not know where there is a veterinary surgeon for miles and miles. They go to the drug store and order the prescription they want, and it very often contains laudanum, or cocaine, or something of that kind. Laudanum is one of the extracts of opium, and for that reason the druggist would be prohibited from selling it, unless the druggist is included with the physician and veterinary surgeon and dentist, who are included in the Bill now.

Hon. Sir RICHARD SCOTT—The Bill would be absolutely valueless if that were done.

Hon. Mr. BEIQUE—I know that in the province of Quebec, and I have no doubt in Ontario and other provinces, druggists are prohibited absolutely from giving prescriptions. It is left to the Medical Association.

Hon. Mr. McHUGH—In the province of Ontario, any man can go into a drug store and buy a certain quantity of laudanum. That would be what he would require to put in the other medicine he would need for certain ailments of his animals. Very many farmers keep laudanum in their stables for cases of emergency, and if you prohibit them from buying in the drug stores, where are they going to get it?

Hon. Sir RICHARD SCOTT—Better without it.

Hon. Mr. McHUGH—Perhaps the hon. gentleman knows more about it—

Hon. Sir RICHARD SCOTT—I know it all kills.

Hon. Mr. LOUGHEED—It may kill some men.

Hon. Mr. COFFEY—I desire to call the attention of the leader of the opposition, to whom seems to be assigned the duty of bringing in the amendments to the Bill, to one point. We may sit here day after day, and month after month, and enact the most perfect laws known, but of what avail are they unless they are administered? I have had several cases under my observation in the last few years where the cocaine habit has taken hold of people. I have spoken to the law officers of the Crown. The law is there, and severe punishment is provided for, but the law officer tells me 'No one has made a complaint. How can I act?' The ordinary man on the street does not consider it his business to make a complaint. It costs him time and money to do it, and unless we have officers of the Crown whose business it is day after day to look into this matter and initiate prosecutions, we will never have the law carried out as it should be. The growth of the cocaine habit, and the use of the abominable stuff they call patent medicines, sold in our drug stores, many of which kill people frequently, should be dealt with also. Unless we have officers to watch drug stores, the sale of nostrums and cocaine will continue, and I am afraid a wide injury will result to our children unless these laws are administered. I hope, therefore, in bringing in amendments something will be done by which the laws may be enforced strictly and energetically by law officers of the Crown appointed for that purpose.

Hon. Mr. CAMPBELL, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Wednesday next.

IMMIGRATION ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE OF THE WHOLE.

The House resolved itself into a Committee of the Whole on Bill (No. 47) An Act to amend the Immigration Act.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT—I may say to the hon. leader of the opposition, that the amendments in this Bill are, I am informed, of a very minor character, and intended to make a little clearer the meaning of the Act which has obscured certain judicial decisions in one or two provinces.

On clause 1,

1. Paragraph (d) of section 2 of the Immigration Act, chapter 27 of the statutes of 1910, is repealed and the following is substituted therefor:—

(d) Domicile means the place in which a person has his present home, or in which he resides, or to which he returns as his place of present permanent abode and not for a mere special or temporary purpose.

Hon. Mr. MACDONALD, B.C.—I want to call attention to the clauses about domicile. Is it not drawing the cords too tightly and putting more restrictions on the immigrant than are necessary? Supposing a man comes from the United States or Great Britain in a bona fide way and takes up his lands and builds his house, why should he have no domicile there for three years?

Rt. Hon. Sir RICHARD CARTWRIGHT—This is not altering the present law.

On subclause 1,

Canadian domicile can only be acquired, for the purposes of this Act, by a person having his domicile for at least three years in Canada after having been landed therein within the meaning of this Act, except in the case of a person who entered Canada before the passing of this Act, and in such case Canadian domicile can only be acquired by such person having his domicile in Canada for at least two years immediately following such entry into Canada: provided that the time spent by a person in any penitentiary, jail, reformatory, prison or asylum for the insane in Canada shall not be counted in the period of residence in Canada which is necessary in order to acquire Canadian domicile.

Rt. Hon. Sir RICHARD CARTWRIGHT —The words 'Canada only' are inserted there.

Hon. Mr. MACDONALD (B.C.)—Will not this conflict with the Land Act? A man can come in and get his land and build his house, and get a home. Why should he be restricted to three years before he can get domicile?

Rt. Hon. Sir RICHARD CARTWRIGHT —The law is not altered.

Hon. Mr. MACDONALD—I think the Department of the Interior are too strict in many cases, and put too many difficulties in the way of the bona fide settler. I think every possible restriction in regard to the settler should be removed.

Hon. Mr. CLORAN—Can the right hon. leader of the House state what the law means by domicile? Must a man be in a certain place and have a certain residence during a certain time? I put the question because the other day, in the administration of the License Act in the province of Quebec, the case was proved up to the hilt that a very fashionable club was selling liquor through its manager. After the liquor was seized, the manager was dismissed and left the country. The provincial authorities took action against the manager, as he was the one supposed to be the beneficiary. The case was dismissed on the ground that this man had no domicile in the country, and that the service of the summons was practically illegal. What will constitute a domicile? My contention was that where the law is violated that that is sufficient for a domicile of the party. The judge said that service is not proper if he is not served at his domicile. The province had served the summons at the very club where he had been engaged for several months, but he had left, and because he was not in the country the judge declared that it was not his domicile, and the action was dismissed. To my mind, it was a judgment that would not hold water; but that was the interpretation put upon it. What does this law mean by domicile? Will it exact from a man a residence in a particular place for a certain period of time?

Rt. Hon. Sir RICHARD CARTWRIGHT —I cannot speak as to the construction the courts might put upon it.

Hon. Mr. CLORAN—That is the difficulty.

Rt. Hon. Sir RICHARD CARTWRIGHT —So far as the Department of the Interior are concerned, I think the construction they have put upon it is that the man must be resident in some part of Canada during the period of two or three continuous years, as the case may be.

Hon. Mr. CLORAN—Not necessarily in the same place?

Rt. Hon. Sir RICHARD CARTWRIGHT —No.

Hon. Mr. CLORAN—He can go to Winnipeg, Toronto or anywhere?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes. But I can find out exactly what their view is at a later stage.

Hon. Mr. MACDONALD—I think that the Act ought to state what it means more clearly.

Rt. Hon. Sir RICHARD CARTWRIGHT —This Bill merely introduces into the existing law the words which I have read, and the important part of it is those words which give a certain latitude, 'Except in the case of a person who entered Canada before the passing of this Act, and in such case Canadian domicile can only be acquired by such person having his domicile in Canada for at least two years immediately following such entry into Canada.'

Hon. Mr. BEIQUE—The question put by the hon. gentleman from Victoria is answered by paragraph (b), which defines what domicile means, and, of course, it affects merely the Immigration Act, and the hon. gentleman would not derive any information or light from the passing of this Bill, whatever definition may be given to the word domicile in the case to which he has referred, because the application of it is limited to the Immigration Act.

The clause was adopted.

On clause 2,

2. Section 40 of the said Act is repealed and the following is substituted therefor:—

40. Whenever any person, other than a Canadian citizen, within three years after landing in or entering Canada has been convicted of a criminal offence in Canada, or has become a prostitute or an inmate of a house of ill-fame, or by common repute has become a procurer or pimp or person living on the avails of prostitution, or has become a professional beggar or a public charge, or an inmate of a penitentiary, jail, reformatory, prison, hospital, insane asylum or public charitable institution, or enters or remains in Canada contrary to any provision of this Act, it shall be the duty of any officer cognizant thereof, and the duty of the clerk, secretary or other official of any municipality in Canada wherein such person may be, to forthwith send a written complaint thereof to the Minister or Superintendent of Immigration, giving full particulars.

Rt. Hon. Sir RICHARD CARTWRIGHT—The only alteration in this clause is the addition of the words ' or entering Canada ' and the reason for that is that it is desirable to make this apply to persons now in Canada who entered Canada before the passing of the Act.

Hon. Mr. McDONALD—This question of deportation is a most dreadful thing—to send our criminals back to the old country. Supposing a ship is going to Liverpool and the man being deported is from Italy or Belgium, what is to become of him? The ship cannot go out of its way to land that immigrant. The other day a judge in one of the courts called attention to the deportation of criminals from Canada to Great Britain as being a very wrong act.

Rt. Hon. Sir RICHARD CARTWRIGHT—My own impression is that it is decidedly a useful provision to prevent English or other authorities from dumping human refuse in Canada.

Hon. Sir MACKENZIE BOWELL—Has any difficulty arisen owing to the wording of this clause, which necessitated the adding of the words ' Or entering Canada?'

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, some difficulty occurred owing to the construction put on it by some of the judges.

Hon. Mr. WILSON—Will the right hon. gentleman inform us why they changed the period from two years to three? Has there been any reason for shortening the time for them to become citizens of Canada? They are changing the period to three years after landing.

Rt. Hon. Sir RICHARD CARTWRIGHT—What clause is the hon. gentleman referring to?

Hon. Mr. WILSON—I am speaking of clause (2), which was section 40 of the old Act, which states, ' Whenever any person other than a Canadian, within three years after landing in or entering Canada,' &c., formerly it was two years.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, that has not been altered. That, I am advised, is exactly as the law stands. The only change is introducing the words ' or entering '.

The clause was adopted.

On clause 5,

Hon. Mr. WILSON—This is a pretty severe clause for a transportation company. Of course it is necessary that the interpretation should be as strict as possible. I could understand that an individual deported on a boat might escape, and if he did, whether the company was in any way responsible for his escape or not, it is fined $500. It seems to me that you are making crimes by order in council, and we will be legislating, if we keep on at the present rate, altogether by order in council, which is a very dangerous principle to adopt.

Rt. Hon. Sir RICHARD CARTWRIGHT—We are not altering the existing law: We are only introducing a few words here to

make it more clear that the companies that bring these people here must transport them under the direction of the department.

Hon. Mr. MACDONALD—If a convict should jump overboard, should the company be fined for failing to land him at some port in Europe? There should be no penalty unless the man comes back again.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not at liberty to alter the clause.

The clause was adopted.

On subclause 4, of clause 6,

Hon. Mr. WILSON—Why should the government have priority of claim? If, for instance, somebody had a judgment against this company and wished to realize it, the government steps in and deprives the honest debtor of getting his claim paid. Is there any reason why the government should have a prior lien on the property of the transportation companies?

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think any injustice will be done. It is pretty well known that the transportation companies, or their agents, have been very reckless in gathering together people sometimes under dubious pretenses to pay their money and take the passage, and it is right that they should be held strictly responsible for such persons.

Hon. Mr. ELLIS, from the committee, reported the Bill without amendment.

JOHNSTON DIVORCE BILL.

FOURTH REPORT OF COMMITTEE CONSIDERED.

Hon. Mr. LOUGHEED, in the absence of Hon. Mr. Kirchhoffer, moved the adoption of the fourth report of the Standing Committe on Divorce, to whom was referred the petition of Mary Hamilton Johnston, together with the evidence.

Hon. Mr. CLORAN—I regret that the chairman of the committee is not present, because after reading over the evidence in this case I feel that the committee should have demanded more proof before recommending that the prayer of the petitioner be granted. I am opposed to the principle on which the committee have reached the conclusion set forth in either report, and I would ask to have the order postponed until the chairman of the committee can be present. I cannot conscientiously vote on the motion after looking over the evidence on which the committee based their recommendation.

Hon. Mr. LOUGHEED—Knowing the susceptibility and the tender conscience of the hon. gentleman in matters of this kind, I have no hesitation in adopting his suggestion ; I, therefore, move that the order be discharged and that it be placed on the Order Paper for to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is my hon. friend likely to vote for it under any circumstances?

Hon. Mr. CLORAN—It is not so much my vote, as a desire to call attention to the manner in which divorces are granted. There is absolutely no evidence in this report, even as to the statutory offence, the only one on which divorce is granted by parliament. That is a hard statement for any hon. member to make in this House, and I do not want to make it in the absence of the chairman of the committee who is more or less responsible for the conduct of business before that committee.

The motion was agreed to.

SECOND READING.

Bill (No. 60) An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.—Hon. Mr. Belcourt.

BILL INTRODUCED.

Bill (U) An Act to incorporate Revillon Frères Company, Limited.—Hon. Mr. Beique.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, February 16, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

INTER-MOUNTAIN RAILWAY COMPANY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (J) An Act to incorporate the Canada Inter-Mountain Railway Company, with amendments.

He said: The first amendment is in connection with the power of the company to deliver water power and transmit and build lines of transmission for electricity. The amendment consists in substituting for the clause as printed in the Bill the clause adopted by both branches of parliament. It does not change the effect, but the form of the clause is shorter and more precise. The next amendment is to clause 12, issue of securities for purposes other than railway. It has been the practice in this branch of parliament, as in the other, to rather extensively provide for the issue of securities, and the manner of authorizing the issue of securities. The amendment suggested is a clause which parliament might follow as a standard clause in the future, and starting from this: that the Railway Act, sections 136 and 138 contain all the provisions which are necessary governing the issue of bonds and other securities and all that it requires is that the company which is chartered as a railway company be authorized to issue securities on its property, both for the purpose of its railways and also securities for the acquisition of other properties, and the clause which is asked to be substituted for clause 12 reads as follows:

> In addition to the securities authorized by section 11 of this Act——

That section deals with the securities which are authorized to be issued on the railway itself.

> The directors, if previously authorized by section 136 of the Railway Act, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any such properties, assets, or works, other than the railway, as the company is authorized to acquire, construct or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

This is all that is required, and the machinery embodied in the Railway Act takes effect and you will find there the necessary provision for the holding of a meeting of the shareholders and the authorizing of the issue of the bonds.

THE ACCOUNTS OF THE HOUSE OF COMMONS.

MOTION WITHDRAWN.

The notice of motion being called:

> That a message be sent to the House of Commons requesting that that House will be pleased to furnish to the Senate a statement showing the cost of the House of Commons of Canada for each year since the fiscal year 1896, under the headings of number of members, indemnity, travelling expenses, printing, staff, and contingencies.

Hon. Mr. DAVID—With the permission of the House I will withdraw this motion.

The motion was dropped.

CONSTRUCTION OF NATIONAL TRANSCONTINENTAL RAILWAY IN QUEBEC.

NOTICES POSTPONED.

The notices of motion standing in the name of Hon. Senator Landry being called, relating to the construction of the National Transcontinental railway in the province of Quebec.

Rt. Hon. Sir RICHARD CARTWRIGHT—The Department of Railways are getting the information the hon. gentleman asks for in reply to notices 3, 4, 5, 6, 8, 9, 10, 11 and 12, but they have not yet completed it.

Hon. Mr. LANDRY—Have they an express train at their service?

Rt. Hon. Sir RICHARD CARTWRIGHT —They tell me they will, wherever possible, give the information in response to inquiries; but I am not in a position to answer any of these questions to-day.

The notices were postponed until Wednesday next.

THE CARRIERE AND LAINE PROPERTY AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Did the sheriff's sale of the Carrière & Lainé property in favour of the Bank of Montreal, include the movables situated on the property?
2. Was the adjudication of these movables contested by the firm of Carrier & Lainé, who intended to remain sole proprietors thereof?
3. Was an action of revendication therefore instituted before the Courts against the Bank of Montreal?
4. In purchasing from the Bank of Montreal, the Carrière & Lainé property, was the government aware of the revendication?
5. Did the government, in order to protect itself, demand from the Bank of Montreal, a guarantee against the possibility of a judgment adverse to the bank?
6. When did the government demand this guarantee and for what amount?
7. When did the bank give it and for what amount?
8. Was the deed of guarantee duly registered and when?
9. If not, why not?
10. Is it the intention of the government to demand the immediate registering of such a guarantee?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1, 2, 3, 4 and 10.—No.

5. The government obtained a warranty deed, indemnifying it against any person or persons claiming an interest in such movables.

6. At the time it arranged the compensation for the property, but the amount of the indemnity was not mentioned.

7. On 23rd February, 1909.

8, 9 and 10. No. Because the warranty related to movable property and does not therefore, require registration.

Attached to the memorandum from the department is a letter from Mr. Vien, which is as follows:

Quebec, February 13th, 1911.

The Deputy Minister of Justice,
Ottawa, Ontario.

Re: B—1023—LEVIS' WHARF.

Sir,—I have the honour to acknowledge receipt of your favour dated February the 10th, in connection with certain questions asked by Honourable Mr. Landry. I beg to inclose herewith the answers which I recommend.

I beg also to state that certain explanations could be given with each answer.

1. The sheriff's title did not cover the movables or personal property. It contained an enumeration of the various lots of land which, together, were forming what was known at Lewis as the Carrièré & Lainé's property, and it went on saying: 'together with the buildings, machinery, warfs and dependencies thereon erected.'

This was covering only the machines and machinery, immovable by their destination.

This is the reason why I answer no to the first question.

2. The adjudication by the sheriff was never corrected by Messrs. Carrière, Lainé & Co. The question what was covered by the sheriff's title was never raised by Messrs. Carrière, Lainé & Co. The only point of discussion was as to what was movable and what was not movable.

I consequently answer no to the second question.

3. There was never an action in revendication instituted against the Bank of Montreal by Messrs. Carrière, Lainé & Co.

After the sale by the Bank of Montreal to the Crown of the movable property, Messrs. Carrière, Lainé & Co. have sued the bank for an amount of $65,000.00 which, in their estimation, represented the value of the personal property which they claimed to be theirs, and about which the Bank was contesting their title on the ground that the property claimed was immovable.

Consequently, no action in revendication was ever taken against the Bank and I answer no to the third question.

4. For the same reason, I also answer no to the fourth question.

The government could not know the existence of an action in revendication, which never was taken, and to which he was not a party.

All the other answers directly flow from the records and from the questions.

I hope that these informations will be found satisfactory.

I have the honour to be, sir,
Your obedient servant,
THOMAS VIEN.

RESIDENCES OF JUDGES IN THE PROVINCE OF QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government the power to fix for each judge appointed by it, the residence of the latter in the judicial district for which he is appointed?
2. Does the government exercise this power of each judge form part of his commission,

3. Does the determining of the residence of each judge form part of his commission, or is it the subject of a letter of transmission informing each judge of his accession to the bench?

Rt. Hon. Sir RICHARD CARTWRIGHT —It is assumed that these questions relate to the Superior Court of the province of Quebec, and upon this assumption the answers are as follows:

1 and 2. Yes.

3. The residence of a judge is always fixed by his commission, but in some cases the residence may have been changed by an order in council, passed subsequent to the issue of the commission.

QUARANTINE OF SAID GOTLIEB.

Hon. Mr. LANDRY—Before the orders of the day are called, I would direct the attention of the government to this fact. In the month of November last a Russian of the name of Said Gotlieb, an immigrant who was on board the 'Royal George,' one of the steamers between Bristol and Quebec, was examined and declared to have an attack of Asiatic cholera, and was sent back to Grosse Isle, a quarantine station about twenty or twenty-five miles below Quebec. He has been six months in quarantine, and he is still there, and the last accounts say that he is turning crazy. No one can tolerate him. He is like a prisoner on the island. I think the government should inquire into the matter. I always understood that cholera was a summer disease, and isolating a man on an island during three months in winter time would not be a very reasonable cure for the sickness. He has no family, and nobody to take any interest on his behalf. I think the government should ask the medical authorities at Quebec to give all the details of that case, and ascertain if he is suffering from some other disease.

Rt. Hon. Sir RICHARD CARTWRIGHT —That will be under the control of the Department of the Interior.

Hon. Mr. LANDRY—Yes, or it might be Agriculture. If he has been put there as an immigrant, it might be in the Department of Interior; if not it might come under the jurisdiction of the Department of Agriculture. At all events, I hope it will not take three months to ascertain who is responsible.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will call the attention of the department to it.

Hon. Mr. LANDRY—I would have given notice, but I thought the matter was so urgent that it should be attended to at once.

Rt. Hon. Sir RICHARD CARTWRIGHT —I suppose it is not likely there is more than one Russian there.

BILL INTRODUCED.

Bill (V) An Act respecting a patent of the Goldsmith Thermit Company.—Hon. Mr. Gillmor.

LONDON AND NORTHWESTERN RAILWAY COMPANY BILL.

THIRD READING.

The order of the day being called:

Third reading (Bill 57), An Act respecting the London and Northwestern Railway Company.—Hon. Mr. Coffey.

Hon. Mr. COFFEY—A few days ago, when this Bill was submitted for third reading, objection was taken aptly by the hon. gentleman from Victoria (Hon. Mr. Cloran) to the title, 'The London and Northwestern Railway Company.' If this company purposes to float bonds in England to secure money to carry on this business, there may be great confusion on account of the similarity of names. There is in England one of the greatest roads in the world, the London and Northwestern Railway Company. The hon. gentleman from Halifax suggested that we should change the name in this Bill to the London and Northwestern Railway Company of Canada. This suggestion has been adopted by the promoters of the Bill, and I move, seconded by Hon. Mr. McDonald, Cape Breton, that the title of this Bill be amended as suggested.

Hon. Mr. LANDRY—I think the Bill should be read a third time and the change

in the title be made after the third reading.

Hon. Mr. POWER—That is correct.

The motion was agreed to, and the Bill was read the third time.

Hon. Mr. COFFEY moved that the title of the Bill be amended so as to read 'An Act to incorporate the London and Northwestern Railway Company of Canada.'

The motion was agreed to and the Bill as amended was passed.

THIRD READINGS.

Bill (71) An Act to incorporate the Empire Life Insurance Company of Canada.—Hon. Mr. Jones.

Bill (N) An Act respecting the Globe Printing Company.—Hon. Mr. Derbyshire.

Bill (47) An Act to amend the Immigration Act.—Rt. Hon. Sir Richard Cartwright.

STAPLETON DIVORCE BILL.

REPORT OF COMMITTEE POSTPONED.

Hon. Mr. KIRCHHOFFER moved the adoption of the Fifth Report of the Standing Committee on Divorce, to whom was referred the Petition of Dalton Mabel Stapleton, together with the evidence.

Hon. Mr. CLORAN—Before this motion is adopted, I would seriously ask the House to consider this report in its printed shape as it appears. Unfortunately, I suppose, for a number of hon. gentlemen in this House, this report has not been in their hands, and they have had no time to digest its contents, so as to be in a position to cast a judicial vote in the matter. As far as I am concerned, I only received it this morning. I made it my duty to read it through, and I find the same objection to this report as I had to find to the report in the Johnston case. Before dealing with the merits of the case, I may say on behalf of quite a number of hon. gentlemen in this House, that it is not fair to them to ask their judicial sanction to a divorce before they have had time to read the evidence and acquaint themselves with the facts of the case. I humbly submit that the report has not been in the hands of the House long enough to enable them to do so.

Hon. Mr. KIRCHHOFFER—I never set these reports down for consideration until a week from the day I lay them before the House, and sometimes for a longer period I have understood from most of the members of whom I made inquiry that they have hitherto had the evidence in their hands in time to be able to read it carefully before the report was considered. I do not know if there is any other member of the House except the hon. gentleman who has not had an opportunity to read the evidence in this case; but if there are any members who have not had time, I am prepared to postpone the order until some time next week.

Hon. Mr. CLORAN—I do not know that the remarks of the hon. gentleman contradict the position I have taken. I stated that I only got the report this morning, I also stated that yesterday the report in the Johnston case had only been placed in my box that morning. The hon. member from Halifax tells me that he is in the same position. I am not here to discuss the propriety of this way of transacting the public business. I have had sufficient time myself to peruse this report, and am in a position to call attention to the laxity of our method of granting divorce. It is accepted by parliament that divorce can only be granted for one offence, that of adultery. Those who read this evidence know that there is not a tittle of evidence in regard to any statutory offence having been committed by the respondent in this case. Proof of what I say will be found in this report.

Rt. Hon. Sir RICHARD CARTWRIGHT—There was an understanding arrived at when I withdrew the Grain Bill from second reading that it would be taken up to-day. It may possibly lead to a somewhat prolonged discussion. I understand the chairman of the Committee on Divorce would have no objection to let this stand over for a day or two. Perhaps my hon. friend from Victoria (Hon. Mr. Cloran) would also be willing to allow it to stand over and let us proceed with the Grain Act.

Hon. Mr. CLORAN—I have no desire to proceed to-day, and I cheerfully comply with the request of the right hon. gentleman. I therefore move the adjournment of the debate.

Hon. Mr. KIRCHHOFFER—Until to-morrow.

Hon. Mr. CLORAN—To-morrow will be an off day to discuss a Bill of this kind when so many members are absent.

Rt. Hon. Sir RICHARD CARTWRIGHT—Would Tuesday suit?

Hon. Mr. CLORAN—I would prefer Wednesday.

The motion was agreed to, and the order was postponed until Wednesday next.

SECOND READING.

Bill (S) An Act to incorporate the Albert and Moncton Railway Company.—Hon. Mr. McSweeney.

CANADIAN GRAIN BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (Q) An Act respecting Grain. He said: This Bill is one of rather unusual importance, and at the same time it comprises some provisions of a somewhat unusual character. The subject is one which has been long and very hotly contested in the western provinces. The farmers of that region have been, for various reasons, under the impression that they have been unfairly dealt with from time to time by the parties who have acted as middlemen between them and the ultimate consumers, and so strong was the feeling on the subject, that a few years ago a royal commission was appointed at considerable expense to investigate and report upon the whole matter, and a very long and important Bill called the Manitoba Grain Act, which is being re-enacted in the measure now in my hands, was passed after a long discussion in both Houses. I may also add that numerous and very important delegations have waited upon the two Houses, and on the members of the government on many occasions, to press their views on these questions. Under these circumstances, the government, after giving very full consideration to this subject, and after taking all pains in their power to acquaint themselves with the facts of the case, have thought it expedient to lay before you certain proposals by which they hope that the matters in dispute may be better regulated, and that the very high standard which the northwest grain has attained in the markets of the world may be maintained. I need hardly point out to the House that that is an object of very great importance indeed, in every possible shape and way. Without committing myself to any definite statement as to the amount of loss which may have been sustained by our western farmers in the manner charged, I think there is no doubt whatever that they have suffered considerably by reason of the manipulation to which their grain has been subjected in the terminal elevators, and perhaps elsewhere; and it appears tolerably clear that the devices that I have mentioned have had the effect of more or less reducing the price which they would otherwise have obtained for the superior qualities of their grain. Nobody will dispute the desirability not merely of preserving the standard of our grain, but of assuring the farmers that they will obtain the highest possible price for what they produce. I need not point out to the House that the very great prosperity which has attended Canada for the last few years has been to an enormous degree due to the development of the northwest, and that nothing can conduce more to the prosperity, not merely of the western provinces but of the rest of Canada, than to do anything in our power to cause the farmers of that region to be prosperous and contented. The various provisions that have been introduced into this measure, although comparatively few in number, are of very considerable importance. It has been thought expedient for the convenience of the trade and of the House to re-enact the Manitoba Grain Act under the title of the Canada Grain Act. Where new provisions have been introduced, they are carefully set forth in a document which will be placed in the hands of members before they proceed to consider the

Bill in Committee of the Whole. I will give a brief review of the principal provisions. It is proposed to appoint a commission to be composed of three persons. It is based more or less on the lines of the existing railway commission, and they will be to a very considerable extent independent of the government. These parties will be expected to hold office for a term of not less than ten years, on good behaviour. They will vacate their office ipso facto at the age of seventy years; otherwise they would be eligible for reappointment, and it is intended that their residence shall be in the vicinity of the chief terminal elevators either at Fort William or Port Arthur. This commission is intended to have very full control over the whole course of the grain trade, and to have large discretionary powers given it for the purposes of determining what places shall be considered public elevators within the meaning of the Act, and of generally taking all precautions in their power for the purpose of ensuring the purity of the grain during its transmission from this country to Europe and other points. Of course, once it is outside our jurisdiction we cannot further interfere; but we can, I think, make certain that the standard will not be tampered with in Canada at any rate. In addition to their ordinary powers, they will have special powers which will enable them to cause examination and investigation to be made into these terminal elevators from time to time, and they will have the power in case of absolute need—of course it will only be exercised in extreme cases—of shutting up for a given time elevators in which they have reason to believe improper practices have been carried on. On their recommendation, the government are taking power—and I direct the attention of the House to this—to acquire, lease or construct elevators to be operated by the government in case of need. The House will observe that power is optional. The government do not bind themselves to operate these elevators, but they take power to do so in case it is found absolutely necessary. The other clauses which require special consideration are the clauses which inflict penalities on parties who are found guilty of manipulating the grain to the disadvantage of the public. These clauses will be found in paragraph 242 and onwards of the Bill, and they involve penalties not exceeding $20,000 and not less than $5,000, with imprisonment for a term not exceeding two years, for persons who are found guilty of various offences therein specified. There are some small minor alterations which will be dealt with as the Bill proceeds, but these clauses that I have referred to, together with the appointment of the commissioners and the power of taking over and operating elevators, are the main alterations which are being made in the Act. The commissioners will, of course, report every year to parliament on all matters relating to the grain trade generally, and will, of course, state what improvements and regulations they may have made from time to time for the purpose of carrying on the duties entrusted to them. It may possibly, and very likely will, be asked by hon. members whether sufficient justification has been made out for the creation of this tribunal, and for the entrusting it with these large powers, and also for the somewhat severe penalties which it is proposed to enforce in case of interference with the quality of the grain. Perhaps the best evidence which I can give for the necessity of interference is this; the department over which I preside was at great pains for some two or three years to inspect the grain to the best of their ability, and they obtained permission to have the grain weighed so that they could ascertain exactly whether the allegations which were made as to the admixture of the different qualities of the grain to the detriment of the general standard of the whole had any foundation in fact. Acting on these powers, actions were brought in the courts under which several companies were fined, though not I think half as much or a quarter as much as they deserved, for the admixture they had been giving, and it was clearly proved that false returns had been habitually made with a view of deceiving the government and public as to the matter complained of. Now, without giving names—they of course appear in the record of the courts—I may say in one case the shipment out of No. 1 Northern received by a particular company, exceeded the receipts in by 437,684 bushels. In another case, the shipments stated to have been

made are less than those by a very large amount. In another case No. 2 Northern, also a high quality, there appears to have been a shortage of 347,643 bushels. In another case, an excess amounting to 150,000 bushels, and so on through a variety of cases with which I will not at this present moment weary the House further than by saying that in sundry cases the total discrepancies seem to have gone ordinarily to half a million bushels. The House will readily understand that while it may be possible to have kept within the exact provisions of the law, and to have turned out an article which might pass as No. 1 Northern, nevertheless the practice of mixing inferior with superior grain must tend ultimately to deteriorate the general quality, and when it comes to such an amount as I have just stated, there can be very little doubt indeed that the general result in the markets of the world was to degrade the apparent quality of the Manitoba grain several degrees below the point which it ought properly to have reached. The allegation is, that this inferior grain when sold, as it usually was, in Liverpool or elsewhere, the price given for it reflected, so to speak, on the price paid by the purchaser in Manitoba, Saskatchewan or elsewhere, to the manifest injury of the farming community. Under these circumstances, as I have observed, the government felt it their duty to look into this matter with considerable care, and they have come to the conclusions embodied in this measure without absolutely and positively binding themselves to the ipsissima verba of the Bill. Of course, there may prove, on examination by either House, to be some point on which a question may be raised, and perhaps some modification may be introduced; nevertheless a case has been made out calling for government interference in the interest of the Northwest, and, for that matter, in the general interest of the country. If we should appear to have dealt somewhat harshly, or to have proposed to deal somewhat harshly with the dealers in grain, I can only say that while I have no doubt a great many of them have been perfectly correct and honest in their dealings, still there has been evidence enough adduced to show that there were others who had been very unfair, and that it is largely in the public interest that we should do everything in our power to protect the purchaser, and for the matter of that to protect the ultimate consumer too, both of whom suffer from the misconduct of these middlemen who have been proved guilty, as I have said, of such practices as I have just enumerated. I do not desire at all to press this matter through the House without due consideration, and, therefore, it is not my intention that the second reading be taken today. I rather invite the attention of my hon. friends to the Bill, and more particularly to the new clauses which have been introduced in it, which, as I say, are few in number although important in character, and we will be very pleased to hear the opinion of those hon. gentlemen who are more especially conversant with the matter, and to consider, of course, any suggestion they may make, provided always that they do not affect the main principles of the Bill. The details are a fair subject for criticism, and if it should appear that any undue severity has been attempted, or that any undue precautions have been taken, we shall be pleased to consider the suggestions that may be made. But hon. gentlemen will agree with me that there is extreme need of careful supervision being exercised over this question of marketing and inspection of our grain, and I am glad to be able to assure the House that I have received, since the retirement of Mr. Horn, which I very much regret, communications, apparently spontaneous communications, from bodies of the highest standing in England, expressing the confidence, and entire trust in fact, that they placed in the standard as reported by him, also intimating that on some occasions his standard of inspection has been seriously departed from, and, as the House can easily understand, in such cases the character of the Manitoba grain had been somewhat depreciated. For every possible reason, I think it is desirable that no effort should be spared to provide such an inspection as will effectually prevent any unfair manipulation or tampering with the grain.

Hon. Mr. LOUGHEED—I presume it is not the intention at the present moment, as I understood from my right hon. friend, to pass the second reading, but to have the debate adjourned until we can secure such an expression from those interested in the country upon the question generally, as would permit of a more intelligent discussion of the details as well as the policy of this Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. LOUGHEED—Therefore, I take the liberty of moving the adjournment of the debate. I presume some weeks will elapse before it is resumed.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am quite willing to give any reasonable time should hon. gentlemen desire to proceed with the debate, but I apprehend it is a question in which a considerable number of gentlemen will be interested. There are more interests than the farmers: the millers will be here and gentlemen representing the grain exchange. Let us resume the debate some time next week. I will not press it to a conclusion, but let us resume the discussion, and then, after such debate as may be necessary, we may proceed to a Committee of the Whole. That would give at least a fortnight and perhaps more before we got into a Committee of the Whole, and in that time I think full discussion will take place in the country, and my hon. friend will be in possession of the views of all parties.

Hon. Mr. LOUGHEED—I did not propose addressing any lengthy remarks on the subject. Speaking in a general way, the policy of the Bill is one of which I personally would approve. The hon. minister might take the second reading to-day, and have the discussion in committee.

Rt. Hon. Sir RICHARD CARTWRIGHT —No, I think we had better have a full debate on the second reading and then go into committee.

Hon. Mr. CAMPBELL—I should like to ask the hon. leader of the House whether it is proposed that these commissioners shall have jurisdiction over what we call the lake terminal elevators?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes. The jurisdiction will be of a very large and comprehensive character, and it will include jurisdiction over the lake ports from Montreal to Duluth.

Hon. Mr. YOUNG—From the Atlantic to the Pacific.

Rt. Hon. Sir RICHARD CARTWRIGHT —The powers are large and necessarily will be large.

Hon. Mr. LOUGHEED—I do not wish to precipitate anything like a discussion on the reciprocity arrangements which are now being debated; but let us assume that the routing of our grain is going to be diverted (it undoubtedly will be very large) from Canadian ports to Minneapolis, Duluth and other American ports, has the government considered the question in connection with this Bill as to the maintenance of the standard under these new conditions which will possibly arise?

Rt. Hon. Sir RICHARD CARTWRIGHT —I would prefer to reserve my remarks on that for a while. The negotiations, while proceeding favourably, are not concluded, and I think, on the whole, it would be inexpedient to discuss that phase of the question at present.

Hon. Mr. LOUGHEED—I have no desire to precipitate a discussion; but my hon. friend will appreciate the fact that new conditions will arise worthy of the very best consideration that the government and the House can give to that subject.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend will understand the delicacy of the position and I would rather not enter into any discussion on the subject.

Hon. Mr. LOUGHEED—I move that the debate be adjourned until Wednesday next.

The motion was agreed to.

LACHINE, JACQUES CARTIER AND MAISONNEUVE RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. BEIQUE moved the second reading of Bill (No. 44) an Act respecting

the Lachine, Jacques Cartier and Maisonneuve Railway Company.

He said: This railway was incorporated by the legislature of Quebec, but it is intended to form part of the Grand Trunk or the Grand Trunk Pacific and, therefore, it will be brought under the jurisdiction of this parliament. The object is to extend the time for the consideration of the line without affecting special provisions which were made in the agreement between the company and the city of Montreal.

The motion was agreed to, and the Bill was read the second time.

ONTARIO NORTHERN AND TEMAGAMI RAILWAY BILL.

AMENDMENT CONCURRED IN.

Hon. Mr. BEIQUE moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (E) an Act respecting the Ontario Northern and Timagami Railway Company.

He said: The report of the Railway Committee will be found on page 387 of the Minutes of Proceedings of this House. In that report it is suggested that the title be changed, and that the word 'Temagami' be substituted for 'Timagami'. Since the report was made to the House, the Law Clerk called my attention to the 8th report of the Geographic Board of Canada for the year ending June 30, 1909. All questions concerning geographical names in the Dominion which arises in the departments are referred to the board, and all departments must accept and use in publication the names adopted by the board. In that report of the Geographic Board, at page 91, the word 'Timagami' spelt with an 'e,' will be found. On page 91 Temagami is spelt with an 'e,' and on page 93 I find Timagami spelt with an 'i,' not with an 'e' with the following 'Tigmagami lake, Nipissing district, Ontario. (Not Tamagami nor Timagami.)' Therefore, according to the report, the proper way of writing the word is with an 'i,' and I have suggested to the promoter of the Bill to move an amendment that the report be not now adopted, but that it be amended by striking out that part of the report.

Hon. Mr. BEIQUE.

Hon. Mr. McHUGH—I beg to move in amendment that the report of the committee be not now adopted, but that it be amended by striking out 'Temagami' and substituting 'Timagami.'

The report as amended was adopted.

McCLARY MANUFACTURING BILL.

SECOND READING.

Hon. Mr. COFFEY moved the second reading of Bill (No. 75) An Act respecting the McClary Manufacturing Company, and gave an explanation of the Bill.

The motion was agreed to and the Bill was read a second time.

SECOND READINGS.

Bill (76) An Act respecting the Ontario, Hudson's Bay and Western Railway Company.—Hon. Sir George Ross.

Blll (81) An Act to incorporate the Canadian Northern Branch Lines Company.—Hon. Mr. Young.

Bill (88) An Act respecting the Bay of Quinté Railway Company.—Hon. Mr. Jones.

Bill (89) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Lavergne.

Bill (90) An Act respecting the Indian River Railway Company.—Hon. Mr. Lavergne.

Bill (100) An Act respecting the Orford Mountain Railway Company.—Hon. Mr. Lavergne.

Bill (51) An Act respecting the Alberta Railway and Irrigation Company.—Hon. Mr. De Veber.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (R) An Act to amend the Chinese Immigration Act.

He said: The Bill contains one or two amendments to the present Act. It has been found by experience that a great deal of trouble has arisen from the different interpretations which the courts have put on the word 'merchant,' and that John

Chinaman has been astute enough to avail himself of the loop-holes to bring in a considerable number of men who are possibly merchants in name, but who are most assuredly not merchants in reality. The object of the Bill is to enable the Governor in Council to define who are merchants, and in that way to carry out the legitimate intention of the Act.

That is the main object of the Bill. In connection with that, we have taken power to define an also somewhat disputed point as to who are to be considered students, and, as such, entitled to a refund of duty. The government desires, as the United States government has also done, to put no impediments in the way of Chinese gentlemen who desire to obtain more or less advanced education in this country or elsewhere. A considerable number of them are likely to attend our various universities. Some of them, I am told, have very considerably distinguished themselves in their attendance, and in any case I think everybody will agree it is a reasonable thing to encourage men of a superior type and class in China to send their children to places where they can become acquainted with European habits and modes of thought. The third amendment is designed to remove differences in the way of bringing in the wives and families of certain classes who have been exempt, and likewise permits Chinamen born in Canada to bring into this country their wives if they choose to get married in China. That is a very fair and reasonable concession to make, and I am not at all sure myself that it would not be in the interest of the state and public morality if all Chinamen were permitted to bring in their wives if they saw fit to do so. Great complaints have been made of the immorality of the Chinese, and with some reason, but it appears to me to be harsh legislation which at one and the same time condemns these people, and on the other hand prevents them, except under a heavy fine, from bringing in their wives, which they would otherwise desire to do. On the whole, however, we will leave it to the House of Commons to discuss that part of the question.

Hon. Sir MACKENZIE BOWELL—Does my right hon. friend define what should be considered a passport? The hon. gentleman knows, if he has taken the trouble to read the evidence given before the commission now sitting in Vancouver, investigating this subject that the question as to the validity of passports has been one of some difficulty to those who have had to administer the law on the Pacific coast. My impression is that the proposed amendments provide to a certain extent a cure for that evil, by requiring that the passports shall be signed by the British minister, or some person in authority at Hong Kong. I must confess, having had some little experience in the administration of this Act, I do not envy the government the responsibility they are assuming, to define what a Chinese merchant means. I have noticed in the evidence, particularly in Victoria, where there is one of the best officers you have administering this law as well as the Customs Act, that before the judge who was holding this court, he declared that it had been a great difficulty in the past to really understand what the term a Chinese merchant meant. We could understand it very well if the words were applied to a British subject: but a Chinaman will come into the country purporting to be a merchant, who has probably not more than $100 interest in the firm of which he declares himself to be a partner.

Rt. Hon. Sir RICHARD CARTWRIGHT—A five dollar interest would be nearer the mark in a great many cases.

Hon. Sir MACKENZIE BOWELL—Probably the right hon. gentleman is correct. I have paid a great deal of attention to the evidence given before the commission in British Columbia, and I have read of sons of Chinamen trading in British Columbia who may not have more than ten or fifty dollars interest in the business, but who have been considered merchants. The ways of the Chinese are somewhat peculiar, I know, and the government will have difficulty in coming to a decision. I would suggest to the hon. gentleman, if his Bill does not go far enough, to make very rigid rules in reference to the question of passports. If there is any part of the law which has been evaded, and in which extensive, I may say gigantic frauds have been perpetrated, it has been under this

system of passports. They have been purchased in Hong Kong at small prices, and, by some hocus pocus process known to the Chinese, used to evade the law. The proposition relating to Chinese wives is a very good one, but you will have some difficulty in defining what, under Chinese ideas, wives are. The idea has been thrown out by the right hon. gentleman that wives of other than those classes particularly specified might be admitted. I think it is a good idea. The difficulty under the old law was that it prevented any one of Chinese origin, whether a British subject or not, who had married a Chinese woman and brought over his wife and family, from bringing them into the country free. He had to pay the capitation tax on his wife and children. However, that was amended some time ago. The further extension is not only charitable, but humane. I never could understand why the children of Chinese born in Canada should be precluded from returning to the country after they had left it. It has suggested itself to me, that about the only possible way to avoid the difficulties which have arisen in the past in reference to the return to this country of Chinese, would be to compel all Chinese who return to pay the full capitation tax. I need scarcely point out the difficulties that have arisen in the past, and will arise in the future, of ascertaining whether the Chinaman who purports to be the one that left the country is really the same man returning. I am not so strong a pro-Chinaman as many hon. gentlemen may be, and particularly those who live in the western part of the Dominion; but if that difficulty is to be surmounted effectually there is only one way of doing it, and that is to compel all Chinese returning to the country to pay the capitation tax.

Rt. Hon. Sir RICHARD CARTWRIGHT —The difficulties which the hon. gentleman mentions, and which no doubt when he held the position I now occupy were frequently before him, as they have been frequently before me, have not escaped attention. The powers taken in clause 7, with respect to parties who are admitted, will pretty largely meet the difficulty as to the passports, which he is quite right in saying have been very considerably abused in former times. If they are not sufficient, we can amend them when the Bill is up for discussion in Committee of the Whole. I am obliged to him for calling attention to the matter, because it is one of very considerable importance. As to fixing the identity of Chinamen who may leave and return, that also is a matter which has engaged our serious consideration. One Chinaman, to a European eye, is so very much like another that the difficulty of distinguishing is beyond all doubt a serious one. I do not know whether in their case the famous thumb or finger test can be applied so as to ensure that the identical article exported is the one reimported. Perhaps my medical friends will let me know before the Bill comes up in Committee of the Whole, whether such a test would apply.

Hon. Mr. CLORAN—Is it supposed that Chinamen bringing in their wives will have to marry them in China, or will it allow Chinamen living in Canada for a number of years the right to bring over their fiancees?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. CLORAN—Without being married in China?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, that is our intention.

Hon. Mr. BOSTOCK—I should like to draw the attention of the right hon. gentleman to this question about merchants. I received a copy of a Vancouver paper of February 10, in which appears an article in connection with this inquiry that has been going on at the coast. It states that Chinamen have been in the habit of paying $100, or less, into a business firm, and then crossing into Canada as merchants.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is one of the abuses this Bill is intended to stop.

Hon. Mr. BOSTOCK—I do not see how this amendment is going to do that.

Rt. Hon. Sir RICHARD CARTWRIGHT —It gives the Governor in Council power to define who are merchants, and we are

not going to allow any class that my hon. friend alludes to to come in under colourable pretexts, without sufficient capital, to be considered merchants. If we have not carried out our intention by this amendment, I shall be glad to confer with my hon. friend, because that is one of the chief abuses we want to put a stop to.

Hon. Mr. MACDONALD (British Columbia—Does this Bill provide that a Chinaman brought up in Canada who may visit China may return without paying the capitation tax?

Rt. Hon. Sir RICHARD CARTWRIGHT —If he is born in Canada, he can go to China and get a wife there and return with his wife without paying the capitation tax.

Hon. Mr. MACDONALD (British Columbia)—That is quite right. It is too drastic to provide that a man visiting China should be taxed when he returns to this country. He is a British subject to all intents and purposes.

The motion was agreed to, and the Bill was read the second time.

BILL INTRODUCED.

Bill (3) An Act respecting the Hours of Labour on Public Works.—Hon. Mr. Campbell.

THE LIEUTENANT GOVERNORSHIP IN QUEBEC.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the House do now adjourn.

Hon. Mr. LANDRY—The press announce that the Lieutenant Governor of Quebec has tendered his resignation, and that his successor has been named. Is there any truth in the rumour?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have to ask my hon. friend to suspend his curiosity until to-morrow, anyway. I have no official information on the subject.

The motion was agreed to, and the Senate adjourned until 2.30 p.m. to-morrow.

THE SENATE.

FRIDAY, February 17, 1911.

The SPEAKER took the Chair at 2.30 p.m.

Prayers and Routine Proceedings.

FREEMAN DIVORCE.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their report on the petition of Cecil Ernest Freeman for a Bill of Divorce, and moved that it be taken into consideration next Wednesday.

Hon. Mr. CLORAN—Before the motion is put, I should like to ask if the evidence accompanies this report. If not I will object.

Hon. Mr. KIRCHHOFFER—Oh, yes.

Hon. Mr. CLORAN—I want to know if the printed evidence accompanies that report, and if we will have it to-morrow morning or to-day?

Hon. Mr. KIRCHHOFFER—I cannot tell the hon. gentleman when he will have it.

Hon. Mr. CLORAN—Then I object to the consideration of the report on Wednesday next. I think the hon. gentleman should not name a day until the evidence is in our hands.

Hon. Mr. DANDURAND—He must name a day. It hurts nobody if the date is fixed, because if the printed evidence is not distributed in time, the order goes over to another day.

Hon. Mr. CLORAN—We had difficulty about that yesterday when the hon. gentleman was not here. I shall insist that when a report of this kind is made the printed evidence must accompany the report.

Hon. Mr. POWER—The hon. gentleman has no right to insist. The committee present their report, and it is supposed to be in writing. Before the report is taken into consideration, the report and the evidence are both printed, and it is the duty of the chairman of the committee to see that sufficient time is given to afford members an opportunity to read the evidence before the

report comes up for final consideration. It would be quite impracticable to say that the evidence shall be printed before the report is presented. That has never been the practice. The hon. gentleman should remember that we have about thirty of these cases to deal with.

Hon. Mr. CLORAN—So much the worse.

Hon. Mr. POWER—And we must deal with them in a businesslike manner, and not put difficulties in the way of carrying on the business of the House.

Hon. Mr. CLORAN—I do not agree altogether with the hon. gentleman from Halifax, although I do agree to a certain extent. The report is presented to this House with the evidence. The evidence is not in the hands of the Senate.

Hon. Mr. KIRCHHOFFER—Yes. There is a copy of the evidence attached to every one of the reports of the committee.

Hon. Mr. CLORAN—But it is not in the hands of the individual members of the Senate, and what I ask for is only legitimate, that we should have the evidence in our hands before we are called upon to decide the question. The hon. chairman of the Committee moves that the report be taken into consideration on Wednesday next. Next Wednesday morning we shall probably get the evidence and members will have to pass on the case that afternoon. I object to that. It has happened twice this week already, and I do not want it to happen again.

The SPEAKER—The question is entirely one for the convenience of the Senate as to what day shall be named for the consideration of the report. The motion is in perfect order. The hon. chairman of the committee has moved that it be considered on Wednesday next. If the Senate think a longer time should elapse before the report is to be considered, it is open to them to name a later date; but, in the meantime, the only motion is one for the consideration of the report on Wednesday next.

Hon. Mr. LANDRY—I think the motion should carry. If when the time arrives we have not been able to peruse the evidence, we might ask to postpone the consideration of the report.

Hon. Sir MACKENZIE BOWELL—The practice has been, as must be known to every senator, that when a motion of this kind is set down for consideration, if the evidence has not been circulated, the attention of the chairman of the House is called to it, and in every case it has been postponed until the evidence has been placed in the hands of hon. gentlemen.

The motion was agreed to.

THE TRIP OF THE 'MONTCALM.'

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing the correspondence exchanged, the report made by the Captain and the log kept by him relating to the trip just made by the steamer 'Montcalm' in the lower St. Lawrence, the island of Anticosti and to the Baie des Sept Isles, &c.?

The motion was agreed to:

THE CARRIERE AND LAINE PROPERTY AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. At what date did the government decide, by order in council, to purchase the Carrière-Lainé property to use it or part thereof towards the construction of a deep water wharf?
2. Did the said order in council order or authorize the acquisition of the Carrière-Lainé property by purchase of by expropriation?
3. Before the passing of said order in council, had the Department of Public Works given instructions to one of its officers to visit and to estimate the value of the said property?
4. Has this estimate been made and by whom? For what amount?
5. When was the report of said estimate made to the department.

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are:

1. August 31, 1908.
2. By expropriation.
3. Yes.
4. Yes, by Engineer Valiquet, $200,000.
5. February 20, 1908.

Hon. Mr. LANDRY inquired:

1. Now that the government has become the owner of the Carrière-Lainé property by purchase from the Bank of Montreal, has it disposed of the movables purchased at the same time as the property in question?
2. Has the government sold it? When, to whom, and at what price?
3. Has the government leased them? When, to whom and at what price?
4. What was the estimated value of the movables so leased or sold?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follow:

1. Some retained by the department, some sold, and balance leased.

2. A dynamo and engine sold to Holliday Bros. for $200.

3. Yes, some with the land and buildings, south of the Intercolonial railway, to the Canadian Shoe Manufacturing Company for $4,000 a year, for the first ten years, and $6,000 a year for the following 20 years.

4. $20,005.75.

Hon. Mr. LANDRY—Does the hon. gentleman say in his answer that the government has leased the movables for $4,000 a year?

Rt. Hon. Sir RICHARD CARTWRIGHT —Some part of the movables may have been leased for all I know; but I understand that the lease covers some part of the land and some buildings.

Hon. Mr. LANDRY inquired:

1. Was the purchase contract, by which the Carrière-Lainé property was transferred from the Bank of Montreal to the government, authorized by special order in council. or did the government, in this transaction, consider the order in council authorizing the expropriation, sufficient?
2. If there has been an order in council subsequent to the one authorizing the expropriation, on what date was it passed?

Rt. Hon. Sir RICHARD CARTWRIGHT —In reply to questions 1 and 2. There was only one order in council, that of August 31, 1908.

QUARANTINE OF SAID GOTLIEB.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Russian, Said Gotlieb, still detained at Grosse Ile, where he was put into quarantine on the 17th November last?
2. Does the ninety days quarantine in the depth of winter appear to the medical authorities rather a long period, and is there really any necessity to cause this unfortunate man to pay, by an exaggerated quarantine, for the fault which he committed of having been a victim of a malady which at the time was asserted to be very benign, so benign that it escaped the examination of the government doctors?
3. Does the government know that the person detained now shows signs of madness, as a result of his cruel seclusion?
4. Is it the intention of the government, science permitting, to see at once that this martyr to science, recovers his liberty?

Rt. Hon. Sir RICHARD CARTWRIGHT —As to whether this unfortunate party may be considered a martyr to science, doubts exist. The reply to the first question is Yes. To the second, Gotlieb is what is called a 'cholera carrier.' Though long since apparently restored to health, his excretions still contain micro-organisms of cholera. It is, therefore, necessary that he should be retained in quarantine until the bacteriological examinations of these excretions prove that he has ceased to be a menace to the public health.

To the third question the answer is, that the government has been informed that this person has shown signs of madness.

The 4th answered by No. 2,

ROBERTSON DIVORCE CASE.

Hon. Mr. CLORAN—Before the orders of the day are called, I wish to direct the attention of the House, and particularly the chairman of the Divorce Committee, to the fact that on the Order Paper for Wednesday I find the following item:

Consideration of the sixth report of the Standing Committee on Divorce, to whom was referred the petition of Lorne Forbes Robertson, together with the evidence.—Hon. Mr. Kirchhoffer.

I wish to call the attention of the honourable House and the hon. chairman of the committee to the fact that the evidence is not in our hands. This is Friday, and the evidence will only be in our hands on Wednesday, when this Bill will be taken up for consideration. We adjourn to-day to meet on Tuesday, and Wednesday we will have to pass on the evidence in this case. This is one of the objections I raised a short time ago, that the evidence was not in our hands in time for us to peruse it. I understand that hon. members have not yet received the evidence in the cases which have

been dealt with by the committee. I protest against this, and if we are to cast votes on matters of importance of this kind without the evidence, it is not right or fair to us and not right to the country. I think my hon. friend to my left, (Mr. Ross, Halifax) has received no evidence yet in divorce cases which have been before the House for consideration. I maintain that this is not the proper procedure, and that I am entitled to have this evidence in my hands.

Hon. Mr. LOUGHEED—I rise to a question of order. My hon. friend cannot speak in regard to a motion coming up on Wednesday.

Hon. Mr. ROSS (Halifax)—I have not received the printed evidence in the two cases of divorce that have been reported. I think we are in too much of a hurry to pass on these cases. We should have the evidence before us, and an opportunity to read it carefully before we come to a decision.

Hon. Mr. LOUGHEED—I rise to a point of order.

BILL INTRODUCED.

Bill (12) An Act to correct a clerical error in the French version of chap. 142 of the Statutes of 1910.—Hon. Mr. Béique.

THIRD READINGS.

Bill (P) An Act to incorporate the Universal Life Assurance Company of Canada. —Hon. Mr. Coffey.

Bill (54) An Act respecting the E. B. Eddy Company.—Hon. Mr. Belcourt.

Bill (61) An Act respecting the Pontiac Central Railway Company.—Hon. Mr. Campbell.

Bill (55) An Act respecting the Grand Trunk Railway Company of Canada.—Hon. Mr. Young.

Bill (L) An Act respecting the Pacific and Omineca Railway Company.—Hon. Mr. Bostock.

Bill (M) An Act respecting the Quebec, Montreal and Southern Railway Company. —Hon. Mr. Béique.

Bill (H) An Act respecting the Quebec and New Brunswick Railway Company.—Hon. Mr. Costigan.

Bill (72) An Act respecting the Georgian Bay and Seaboard Railway Company.—Hon. Mr. McMullen.

Bill (70) An Act respecting the Canadian Western Railway Company.—Hon. Mr. De Veber.

Bill (E) An Act respecting the Ontario Northern and Temagami Railway Company. —Hon. Mr. McHugh.

SECOND READINGS.

Bill (20) An Act respecting the Mather Bridge and Power Company.—Hon Mr. Gibson.

Bill (62) An Act respecting the Algoma Central and Hudson Bay Railway Company.—Hon. Sir George Ross.

Bill (69) An Act respecting the Canadian Northern Ontario Railway Company.—Hon. Mr. Jones.

Bill (80) An Act respecting the Buffalo, Niagara and Toronto Railway Company.— Hon. Mr. Riley.

Bill (83) An Act to incorporate the Simcoe, Grey and Bruce Railway Company.— Hon. Mr. Campbell.

Bill (59) An Act respecting the Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill (T) An Act for the relief of Matilda Emo.—Hon. Mr. Owens.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, February 21, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (X) An Act respecting the Manitoba Radial Railway Company.—Hon. Mr Young.

Bill (Y) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Watson

COUNCIL OF THE NORTHWEST TERRITORIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Does the Commissioner in Council of the Northwest Territories sit regularly, on fixed dates, or at pleasure?
2. How many times did he hold sittings since the office was constituted, and on what dates during each year?
3. Has he the right to enact ordinances?
4. Is he bound to transmit a copy of each ordinance to the Governor in Council?
5. As a matter of fact, has the Commissioner in Council enacted ordinances and has he subsequently submitted them to the approval of the Governor in Council?

Hon. Sir RICHARD SCOTT:

1. There are no fixed dates.
2. No necessity has arisen for the holding of sittings, Dominion Statutes, and Ordinances of the Northwest Territories have, so far, met all requirements.
3. No.
4. Yes.
5. Answered by reply to No. 2.

Hon. Mr. LANDRY—I do not understand how question 3 can be answered 'No,' and question 4 answered 'Yes.' If the Commissioner in Council has no right to enact ordinances, how can he be bound to transmit copies of ordinances?

Hon. Sir RICHARD SCOTT—I have given the answers as they were given to me.

MANAGEMENT OF THE INTERCOLONIAL RAILWAY.

Hon. Mr. McSWEENEY—I should like to draw the attention of the government to a remarkable pronouncement made by Judge Barron, who is chairman of the Conciliation Board, which has been in session for some time trying to settle the demands of the telegraphers and station agents on the Intercolonial railway. Judge Barron, after the decision, was interviewed by a reporter in Toronto, and made the following remarks on the Intercolonial railway:

His Honour holds very strong views on the matter of the operation of the government road, and considers it an outrage that the line should not be under the control of a private corporation. In his opinion the Canadian Northern Railway Company should be allowed to rent the Intercolonial, that it might return every year to the people of Canada a revenue of about a million dollars as against the annual deficit:

It has been necessary for me, said the judge, to go to the Atlantic seaboard several times lately in connection with board business, and while I have been there I have endeavored to get to the root of the matter. My observation was that in Halifax the citizens wanted a private concern to run the road, and that their preference in that regard inclined toward Sir Wm. MacKenzie and Sir Donald Mann.

They felt, and I feel, continued his honour, that Sir William and Sir Donald should be given the privilege to operate the Intercolonial for the reason that no other two men have done more to develop Canada. They are both big Canadians, and they need that line to compete with the Canadian Pacific Railway and the Grand Trunk Pacific.

But outside of Halifax in Nova Scotia and in New Brunswick and other sections, through which the Intercolonial runs, I found that the people did not want the road to pass from the hands of the government. The reason for this is the fact that every family in these provinces living close to the road considers it an unfailing fount of employment.

I think it is an outrage that these people should be allowed to offset the wishes of the older parts of the country.

Nova Scotia has possibilities as great as any other province in the Dominion, but outside of Halifax the people will not strive. They feel down there that in a measure they were forced in confederation. They consider they have missed something without exactly knowing what that something is, and for that reason are holding fast to the Intercolonial, or at least so it seemed to me.

Now, if that report is correct it is a very improper pronouncement from a county court judge. He is in receipt, I believe, of a fair salary and his work is not supposed to be very onerous. I think he has gone out of his way to boost any railway corporation. Three roads have running rights over the Intercolonial railway, or will have, the Grand Trunk Pacific, the Canadian Northern and the Canadian Pacific railway. I do not think a man in his position has any right to speak as he has done, and it does not say much for his impartiality or judicial turn of mind.

GOLDSCHMIDT THERMIT COMPANY BILL.

SECOND READING.

Hon. Mr. GILLMOR moved the second reading of Bill (V) An Act respecting a patent of the Goldschmidt Thermit Company.

Hon. Sir MACKENZIE BOWELL—We have had strong expressions of opinion on Bills of this character, and it is well that the House, and senators who are not members of the Private Bills Committee, should have some explanation of why this patent should be extended. Last session we rejected a couple of Bills of this character. The general opinion of the Senate is that unless good and valid reasons can be furnished for departing from the law as it stands, these extensions of time should not be granted. The question has been frequently discussed here, and we know that strong objections have been taken by the Imperial government and parliament to such renewals, unless parties holding patents give evidence of their bona fides, and have done something towards using the invention in the country. The House knows that I have taken strong objections to renewing patents which have lapsed. Nineteen out of twenty of the holders of patents are not the inventors, but people who have secured the inventions in some way, and have refrained from manufacturing under them until they found somebody else about to establish an industry in which the patents can be used, or they can see some other way of making money without taking action themselves. I should like to have some reason why we should pass this Bill. Otherwise it should not be given its second reading.

Hon. Mr. GILLMOR—I am not entirely familiar with the case, but I understand that last February the holders of this patent neglected to pay certain dues. The parent house in the old country were under the impression that their branch in Canada had paid the fees, while the branch in Canada were under the impression that payment had been made by the head office. Now they ask to have the right restored to them. I think if the usual courtesy is extended to this Bill, counsel will appear before the committee to give any particulars required.

Hon. Sir MACKENZIE BOWELL—This Bill sets forth that the head office is in New York, and that there is a branch in Toronto.

Hon. Mr. GILLMOR.

Hon. Mr. GILLMOR—The owners I understand were in the old country.

Hon. Sir MACKENZIE BOWELL—There may be parties in the old country interested in it. I do not take this position from any want of courtesy; but complaint has been made, and very justly, that Bills are read here pro forma without the slightest explanation of what may be their character. We have got into the habit of giving the second reading to such Bills and sending them to the committee and only the members of the committee know anything about them. If the committee recommend that this Bill be passed, I shall ask that they set forth fully the reasons for their recommendation.

Hon. Mr. WILSON—While I fully sympathise with the remarks of the hon. member from Hastings with reference to these Bills, it appears to me we have allowed several of them to go to second reading and they have been thoroughly examined in the Private Bills Committee. If there is anything irregular in this case, it will be brought out in the committee, and when we have the report before us it can be considered later. The second reading of the Bill does not commit us to its principle. Nearly every Bill gets its second reading, and I do not feel that we should draw the line too closely in this instance. We have allowed Bill after Bill of this character to go through, and it is only just and right that this Bill should get its second reading. I believe the view taken by the hon. member from Hastings is right, but why should we commence with this Bill? If necessary, I will go with the Hon. gentleman to the Private Bills Committee, and we can ascertain the nature of the Bill when we get there.

Hon. Sir MACKENZIE BOWELL—Would the hon. gentleman indicate where we should begin, and upon what Bill we should ask for explanations before second reading in the future? I do not know any member of the Senate who has in the past taken stronger objections to the passing of Bills without due explanation being given, than the hon. gentleman from St. Thomas. It is well as we advance in age that we should reform, but I am rather inclined

to think my hon. friend is reforming backwards instead of forwards.

The motion was agreed to and the Bill was read the second time

BILLS INTRODUCED.

Bill (84) An Act respecting the Southern Central Pacific Railway Company.—Hon. Mr. Watson.

Bill (74) An Act respecting International Railway Companies and International Traction Railways.—Hon. Mr. Gibson.

Bill (68) An Act respecting the Campbellford, Lake Ontario and Western Railway Company.—Hon. Mr. Derbyshire.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

WEDNESDAY, February 22, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

NATIONAL TRANSCONTINENTAL RAILWAY CONSTRUCTION

INQUIRIES.

Hon. Mr. LANDRY inquired:

1. Has the railway described in paragraph (a) of section 4 of chap. 177 of 3 Edward VII, been constructed in whole or in part?
2. What is the total length of this railway?
3. Where does it start and where does it end?
4. What is the length of the road on which construction work has been performed?
5. What was the cost thereof up to date?
6. What is the estimated cost of the work remaining to be done?
7. To whose account has the work already executed been charged?
8. To whose account shall the work remaining to be done charged?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following information is supplied by the National Transcontinental Railway Commission:

1. It has been partly constructed.

2. 6.38 miles.

3. From the northern abutment of the Quebec bridge to the city of Quebec.

4. 4¼ miles.

5. $17,026.65.

6. No estimate of cost has been made.

7 and 8. Construction account of the Transcontinental railway, eastern division.

Hon. Mr. LANDRY inquired:

1. Has the railway described in paragraph (b) of section 4 of chap. 177 of 3 Edward VII, been constructed in whole or in part?
2. What is the total length of this railway?
3. Where does it start and where does it end?
4. What is the length of the road on which construction work has been performed?
5. What was the cost thereof up to date?
6. What is the estimated cost of the work remaining to be done?
7. To whose account has the work already executed been charged?
8. To whose account shall the work remaining to be done be charged?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following information is supplied by the National Transcontinental Railway Commission:

1. It has not been constructed, but a portion of the Transcontinental railway, eastern division has been built over practically the same line.

2 and 4. 3.54 miles by Transcontinental railway.

3. Commencing at or near the southern terminus of the bridge to be constructed across the St. Lawrence river, thence easterly by the Transcontinental railway to the crossing and connection with the Intercolonial railway in the parish of St, Jean Chrysostome.

5, 6, 7 and 8. Under the conditions as stated in the above answers no information of the cost of the line proposed but not built can be given; further, as to the cost of the line of the Transcontinental railway built over practically the same line, the records of expenditures have been planned to show cost of a particular mileage, usually under a specific contract. Details of the cost of a small section of any general contract is very difficult if not impossible to arrive at, as returns from the line are not made in such a way as to enable such figures to be readily reached.

Hon. Mr. LANDRY inquired:

1. Has the railway described in paragraph (c) of section 4 of chap. 177 of 3 Edward VII, been constructed in whole or in part?
2. What is the total length of this railway?
3. Where does it start and where does it end?
4. What is the length of the road on which construction work has been performed?
5. What was the cost thereof up to date?
6. What is the estimated cost of the work remaining to be done?
7. To whose account has the work already executed been charged?
8. To whose account shall the work remaining to be done be charged?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following information is supplied by the National Transcontinental Railway Commission:

1. It has not been constructed, but a portion of the Transcontinental railway has been built over practically the same line.

2 and 4. 9.25 miles by the Transcontinental railway.

3. Commencing at or near the northern abutment of the bridge to be constructed across the St. Lawrence river, thence westerly by the Transcontinental railway to a connection with the Canadian Pacific railway at Belair.

5, 6, 7 and 8. Under the conditions as stated in the above answers no information of the cost of the line proposed but not built can be given; further, as to the cost of the line of the Transcontinental railway built over practically the same line, the records of expenditures have been planned to show cost of a particular mileage, usually under a specific contract. Details of the cost of a small section of any general contract is very difficult if not impossible to arrive at, as returns from the line are not made in such a way as to enable such figures to be readily reached.

DIRECTOR OF THE NAVAL SERVICE OF CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who has been appointed Director of the Naval Service of Canada?
2. Was the person who holds this office on the active list of the British navy at the time of his appointment?
3. What rank did he hold therein?
4. Has he been lent to Canada by the British admiralty for a fixed time, and, under these circumstances, appointed Director of the Naval Service of Canada, or was he appointed to that position after having severed his connection with the imperial government, either by his dismissal from the service or by his being put on the retired list?
5. At what date was he appointed Director of the Naval Service of Canada?
6. Was it by order in council or by decree of the Minister of the Naval Service?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department furnishes the following answers:

1. Rear Admiral C. E. Kingsmill.

2 and 4. Rear Admiral Kingsmill retired from the Royal Navy to take up an appointment as officer commanding the Marine Service of Canada, and was subsequently appointed Director of the Naval Service.

3. Rear Admiral.

5. May 5, 1910.

6. By order in council.

INSTRUCTIONS TO COMMISSIONER OF THE NORTHWEST TERRITORIES.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General; praying that His Excellency will be pleased to cause to be laid before this House a copy of all orders in council and of all orders issued by the Minister of the Interior, giving, from time to time, to the Commissioner for the Northwest Territories, since his appointment as such, the instructions which he is to follow in the exercise of his executive powers in so far as concerns the government of the Northwest Territories.

The motion was agreed to.

THE CARRIERE AND LAINE PROPERTY AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How much did Mr. Vien, of Levis, advocate, ask for his professional services in re the expropriation of the Carrière-Lainé property?
2. Did the government refuse the account which he rendered?
3. To what figure was the amount of his claim subsequently reduced, and what is the amount that the government consented to pay him, and to which he has acquiesced?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers furnished me are as follow:

1. A copy of Mr. Vien's account for his services in this matter was included in a return presented to the Senate on the 11th of January last.

2 and 3. The amount to be paid to Mr. Vien was finally adjusted by mutual agreement and is stated in the reply of the 14th instant, appearing on page 244 of the Senate 'Hansard.'

Hon. Mr. LANDRY—I suppose I must be satisfied with the reply given, but it does not answer the question put.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is the reply the department gave me.

APPLICATION OF FEDERAL ACTS TO NORTHWEST TERRITORIES.

INQUIRY.

Hon. Mr. LANDRY inquired :

Has the Governor in Council, under the authority of section 15 of chapter 62 of the Revised Statutes of Canada, 1906, by proclamation to that effect, brought the Northwest Territories under the operation of the Acts of the federal parliament which are designated in that section; and what are the Acts, or parts thereof, so brought into force in the territories; and on what date was each of these proclamations issued?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply is, no.

MILITIA APPOINTMENTS IN NOVA SCOTIA.

MOTION.

Hon. Mr. LOUGHEED moved :

That an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House:—

1. Copies of all papers relating to the appointment of Martin Dickie to the command of the 76th Regiment of the counties of Colchester and Hants.

2. Copies of all papers relating to the recommendation of Major J. L. Barnhill by Lieut. General Drury and others to the command of the said regiment.

3. Copies of all documents relating in any way to the reasons or causes why the said Major Barnhill as the senior officer of said regiment should not have been appointed to the command of the same.

He said : I have placed this motion on the Order Paper owing to the fact that the attention of the public has been directed, through the press, to a certain statement of facts, and that statement is signed by a member of this House. It would appear that the 78th regiment, which practically represented within its ranks the counties of Colchester, Hants and Pictou, was divided into two regiments. The commanding officer of the 78th regiment was detailed to the command of the 78th. The senior officer of the 78th was Major Barnhill, and according to all precedent and according to justice which should have been meted out in the case, should have received the command of the 76th regiment, being a man well qualified for the position. He had served several years in the 78th regiment, and attached himself to the separated portion of it which represented Colchester and Hants. He held a certificate as a field officer, and a certificate in equitation, and had all the qualifications necessary to assume the command of the new regiment. The claims of Major Barnhill were absolutely overlooked. No reason was given for the failure to appoint him to the command of the new regiment ; but a civilian, who, I understand, had never been identified or associated with a military organization, and who had no knowledge of military science, and no claim whatever to receive a position of such distinction, was appointed to the command of the new regiment. Almost twelve months have elapsed since his appointment to that command, and I am told that he has not attempted to assume anything like the responsibility which attaches to the office. He has assumed a certain amount of responsibility in appointing officers to companies of the regiment, gentlemen who, I understand, have no more knowledge of military affairs, and no more qualifications to discharge the duties of a commission than he himself possesses. The question naturally arises, why should a man who had never been identified with a military organization have been appointed over the head of one possessing every qualification, and respecting whom every sense of justice should have induced the government to place him in command of the new regiment? The statement is

made over the signature of a member of this chamber, that, on inquiry from the Minister of Militia, it was stated that Major Barnhill was a Conservative. That may be a very heinous charge, a very serious disability ; but up to a comparatively recent period I at any rate was unaware that it disqualified a man from serving in the defence of his country. It might be embarrassing to the enemies of our country if one of our regiments had to be led into action by a Conservative ; but I would not feel disposed to make any apology by reason thereof. From a statement by a member of this House it would seem that, according to the judgment of the Minister of Militia, that was the charge against Major Barnhill which disqualified him from being placed at the head of the new regiment. If this be the case—and I have no reason to doubt it in any way—it is a really serious matter, if the militia of this country, upon which we are expending about $7,000,000 a year, is to become the football of any political party. I thought the militia should be considered free from any such partisanship as that which has been indicated in this appointment. I am prepared to admit that party feeling may enter into judicial appointments ; but the militia should be the last institution controlled by our government where it should be displayed. It is peculiarly and preeminently degrading to an institution like the militia that the claims of senior officers should be absolutely ignored, and that the appointments they have a right to expect should be given to parties whose only qualification is that they belong to a certain political organization. If this is to be a recognized course of conduct by the department, then it is not only degrading in the extreme, but it is demoralizing and will certainly result in the disintregation of the forces on which the country depends for its defence. I cannot express myself too strongly in condemnation of the introduction into our militia of such a principle as that involved in the appointment of the commander of the 76th regiment, and whatever explanation the government have to offer with reference to this appointment, I hope the facts may be such as to disabuse the public mind of the impression which has been created by it.

Hon. Mr. ROSS (Halifax)—In seconding the motion for the production of the correspondence, I want to say that I am the writer of that letter, and when the new regiment was formed of men from Colchester and Hants, General Drury, the commanding officer in Nova Scotia, sent for Major Barnhill and told him to make his application. But he took it for granted he was a man that was properly qualified to be colonel of the new regiment. I may say that I have been found fault with by senators supporting the government and members of the House of Commons supporting the government, for taking this step, but I considered it was a duty due to myself, to expose such injustice to a man properly qualified to fill this position. I had written, I think, about four letters to the Minister of Militia recommending Major Barnhill's appointment, and I met the Minister of Militia in the barber shop in the Senate, and he said, 'Don't you know that Major Barnhill is a Tory?' I said, 'I thought there were no politics in the Militia Department. There were none in my day and that promotion rested on proper qualification for the position. The minister may make what explanations he likes, but he cannot properly justify the appointing of a man who never occupied any position in the militia ranks, and never attended drill for a day, and when the regiment was called up to Aldershot, he never went there with his newly appointed officers. He knew he was disqualified from occupying the position to which he was appointed, and had sense enough to remain at home. That is about the history of the position in a few short sentences. If the minister had appointed a captain or lieutenant who had attended drill, I would not have opened my lips against it; but all the qualification that Martin Dickie had, or ever will have, is that he is a Liberal.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no doubt that my hon. friend the Minister of Militia will find it very difficult to satisfy all parties in the ad-

ministration of his important office; but for the special information of my hon. friend opposite, I may say that to my certain knowledge a very large proportion indeed of the superior officers in the militia, in the province of Ontario, at any rate, are as rank Tories as even he himself could desire. How it may be in other provinces I will not undertake to say, but it has been made a matter, to my certain knowledge, of constant complaint against the hon. Minister of Militia that nobody but a Conservative need apply, and I think if my hon. friend will cast a critical eye over the composition of the Council of Defence, which really I suspect is a moving wheel in each of these appointments, he will see that Conservatives are very much better represented than Liberals.

Hon. Mr. CLORAN—Too much so.

Rt. Hon. Sir RICHARD CARTWRIGHT—One appointee is a brother of the leader of the opposition, as well as a cousin of the Minister of Militia, and others certainly, in my experience, were never regarded as contaminated with Liberal principles in the slightest degree.

Hon. Mr. POIRIER—The friend of the leader of the opposition is a Liberal.

Rt. Hon. Sir RICHARD CARTWRIGHT—The brother of the leader of the opposition in the House of Commons a Liberal? By the by I believe that the leader of the opposition, at an earlier and saner stage of his career was a Liberal.

Hon. Mr. LOUGHEED—He has a precedent for that in my right hon. friend.

Hon. Mr. POIRIER—Is the right hon. gentleman drawing on his own reminiscences?

Rt. Hon. Sir RICHARD CARTWRIGHT—This I know at any rate, and possibly it was natural enough, because when we came into office, speaking again for Ontario, I think I am justified in saying that few and far between were the officers in high command in the militia who had any affinity with the Liberal party.

Hon. Sir MACKENZIE BOWELL—No, no. I belonged to the militia for over twenty years, and I know better.

Rt. Hon. Sir RICHARD CARTWRIGHT—Am I to understand that my hon. friend during that period was a Liberal?

Hon. Sir MACKENZIE BOWELL—No, God forbid! I never said that. I am where I always was, and my right hon. friend is not.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not so sure about that. I remember when my hon. friend opposite supported me in something very like a vote of want of confidence in the government in regard to bringing in Sir Francis Hincks.

Hon. Sir MACKENZIE BOWELL—That is one part of the story ; tell the other ! When the hon. gentleman wrote and asked me to join him, I declined.

Rt. Hon. Sir RICHARD CARTWRIGHT—To return to the subject in hand, I understood there were two regiments created. The old regiment of the 78th was assigned to one particular county, and another regiment to be called the 76th, if I am correctly advised, was created for another subdivision. A memo. has been submitted to me in regard to this matter, and I think it would have been perhaps better if my hon. friend could have waited until the whole of the correspondence had been brought down before we entered on this discussion as to the Liberals and Conservatives.

Hon. Mr. LOUGHEED—I might revive it by starting again when my hon. friend gets through.

Rt. Hon. Sir RICHARD CARTWRIGHT—The memo. which I have received reads as follows : It was for the better carrying out of the reorganization of the 78th regiment that the adjutant-general decided to disband the regiment and begin de novo, which was done. The same colonel was continued and, so far as I know, most of the officers, and also the four previously existing companies. One of the officers of the old regiment was Major Barnhill, the gentleman referred to in Hon. Mr.

Lougheed's motion. He never was a resident of Pictou county and, although born in Hants, was, at the time of the reorganization, and still is, a barrister living and practising in Halifax city. If he had any claim at all, it was on the 78th regiment.

The gentlemen who have taken up the organization of the new regiment (76th) were unanimous in asking the department to place at the head of that regiment a very prominent gentleman of Truro, Mr. Martin Dickie, who was, in due course, seen by General Drury, O.C., maritime provinces, Halifax, by whom all necessary arrangements for the organization of the regiment were carried on. Both regiments, the 76th and the 78th, were fully organized and took part in the camp at Aldershot in September last, where they gave an excellent account of themselves. I have no objection to the motion of my hon. friend; but I would like to add some other correspondence in relation to the matter, which, I presume, he will have no objection to being added. With the addition of this further correspondence the motion can pass, and when we get the full papers and my hon. friend has examined and digested them, if he wishes to renew the matter, I shall be happy to indulge him, and I will then be in full possession of certain facts as to the relative proportion of Conservatives and Liberals in high command in the militia force. I think he will find that the claims of Conservatives in high command have not been overlooked by the Militia Department.

Hon. Mr. CLORAN—The militia of Canada some few years ago used to cost the country about a million and a quarter or a million and a half dollars. That was before the Liberal party came into power. As a member of that party I find, and I think the party as a whole found that that amount was an extravagance. According to the leader of the opposition, that amount has increased to seven millions. I think it is much more, and I remember the statement of the right hon. leader of this House some years ago, made on the floor of this House, that it was time to call a halt in the expenditure for the Militia Department.

Rt. Hon. Sir RICHARD CARTWRIGHT

I then agreed with him, and I still agree with him. The expenditure is not only seven million now, but is going up to ten millions, and if the members of this House and the members of the House of Commons would take into consideration the vast amounts spent in connection with the militia and naval service, they will find that to-day one-fifth of the revenue, or some twenty-two and a half millions is devoted to the militia and naval purposes. As an old time Liberal, I think it is time a halt should be called and called definitely. We are spending too much money on brass buttons and gold braid. I quite agree with the right hon. leader of the House when he speaks of the Tories having had almost supreme control of the militia in past years. I know when we had to make the fight for the Liberal party throughout the country what the influence of the militia was, when scarcely a Liberal throughout the Dominion was in any position of command, and the right hon. leader of this House raised an echo in my heart which I re-echo back and tell him he is right, that in the Militia of Canada we Liberals had very little chance to secure any position of command in the days from 1878 to 1896. That is perfectly true. I do not know that the Liberal party has followed on the same lines as the Tory party in regard to nomination. I am afraid they have not. If there is any element of snobbery coming into this country it is through the militia and I am afraid it is also being introduced through the naval development and naval policy. What happened in the past is being repeated on a lesser scale to-day, and we must be on our guard to see that the money of the country is not spent to an extraordinary amount on the militia and naval objects. That is the stand I take as a Liberal working for the welfare of the country through Liberal administration, and I know I have the heart of the people with me, I know I voice their feelings and sentiments as well as the feelings of the workingman, that the party would do much better to curtail expenses. This matter has brought to the attention of the country a condition of things which must not be allowed to enlarge itself, and that it is the duty of the Liberal party

to minimize the growth of militarism, and prevent unnecessary expenditure. I am not afraid to advocate such a policy before hon. gentlemen, some of whom are no longer in touch with the people. Many of us have lost our usefulness, but I am still in the ranks, I am still in the breach, and I am one of those that has to defend Liberal principles and give reasons therefor. That is the reason I talk so sincerely, and, if you will, so heatedly; but in that heat there is sense and sentiment and judgment. I hope the Liberal party will remain in power, because at no time has this country prospered so much as it has under the banner of Liberalism. It has given to the country peace, harmony and prosperity, and to-day our foes are asking for a new declaration of loyalty to the British Empire. Who are they? The Bordens, the Fosters and others, asking the Liberal party for a reaffirmation of its loyalty to the British Empire—we who, during the past 16 years, have given better, stronger and more solid proof of our loyalty, not lip loyalty, but generous loyalty, abundant loyalty to the British Empire than they have, when, by our tariff we gave a preference to the British manufacturers. In the old days of 1878, the Tory party who carried the standard of loyalty said: 'If protection is going to be a curse to the British manufacturer, if it is going to be an impediment to the British trade, so much the worse for the British manufacturer.' That was the cry of the Tory party under Sir John A. Macdonald. But since 1895, the present government have given to the British Empire more solid proof of our loyalty, and if the British Empire is broad and deep as it is to-day, I say thanks to the statesmen at the head of the government—thanks to Sir Wilfrid, who is the one man in the overseas dominions whose policy is a real consolidation of the empire. Yet to-day the Bourassa's and Foster's and others ask for a new official declaration of loyalty. If I had any voice in the counsels of this government, I would say: 'Bend not the knee to these men who through these motions ask such things as this.' We have not to prove our loyalty because Mr. Champ Clark, or anybody else says that behind the reciprocity treaty there is the prospect of ultimate annexation. We need no subsidiary declaration of our loyalty to prove itself. The Senate is no doubt a body in slumber, but we shall get more credit for being an active and useful body if we fearlessly express the sound and solid popular opinion in this country which is ultimately the final court of appeal. I have every respect for those who differ from me; but I respect more the man who fights than he who lies down. It is only in fight we shall find the true method that makes a country respected in this world of ours.

Hon. Sir MACKENZIE BOWELL—I would like to call the attention of the Senate to the fact that the principal points made by my hon. friend on my left was not touched upon by the explanation given by the Minister of Militia. If I understand the motion before the Senate, or rather the complaint made, it is that instead of appointing a qualified gentleman to the position of commander of the regiment, a gentleman was selected who has no knowledge whatever of military matters, who has never attended any military school, who has never belonged to the force and has not acquired that information which can only be gathered by study and practice, and constant drill. That is the complaint made by my hon. friend who wrote the letter, and also by the hon. gentleman who moved the resolution. It must be apparent to every one who listened to that explanation that he studiously avoided giving any explanation whatever as to the reasons which induced the minister to place a gentleman at the head of the regiment who has no knowledge and who has never had any knowledge of militia matters by theory and practice.

Hon. Mr. ROSS (Halifax)—And never will have. He is 59 years of age.

Hon. Sir MACKENZIE BOWELL—That is a qualification rather than a disqualification, and if he would add twenty or thirty years to it, it should not disqualify some gentlemen from assuming the responsibility of directing the affairs of a regiment. Apart from that, it is a question and a very serious one, if it is not a breach of the rules and regulations which govern the militia, and which the present gov-

ernment and minister have adopted to guide them in the appointment of officers in that force. I am not going to refer to ancient history just now. Probably my right hon. friend could indulge in a little badinage, and it would be very pleasant to listen to him, as to the course he pursued in the past, as well as the course I pursued thirty or forty years ago. But that has nothing to do with the question at issue at the present moment. When the right hon. gentleman referred to opinions held by the leader of the opposition in the Commons, and gratuitously made the remark that when he was in his sounder reason he held liberal views, but having departed from that it was tantamount to a crime, if I were to apply the same arguments to my right hon. friend, I suppose it would be just as potent, were it not that we take different views as to what constitutes the right of a man to change his opinions. I have a very clear recollection of the incident referred to. He took a very distinct objection to the admission into the government of Sir John Macdonald, of a man who had been the leader of the liberal party. He was a member of the Baldwin-Lafontaine government. He advocated the most out spoken doctrine of liberalism in Ontario. As an old Conservative, though much younger than I am now, I took exception to that gentleman being admitted to the cabinet. My hon. friend did the same thing, and the correspondence had this result: We were acting in accord when we were in the House of Commons. His request was that I should continue with him in that opposition. I declined to do that, laying down the principle that I was going to wait to see what course would be pursued by the gentleman who had been taken into the cabinet, and if it were in accordance with the views I held at that time, which were in favour of the government, I was not prepared to go into perpetual opposition. I am not prepared to question his honesty or his reasons. All I ask is the same charity to myself. I believe the course I pursued was the right one. After watching the affairs and events that followed the admission of that gentleman into the cabinet, I told him myself that if he proved himself to be what Sir John Macdonald thought he would prove to be, I would not individually oppose the government on that question. After he had been in the government for a year or two, I came to the conclusion, from the course he had taken, the questions he had grappled with which the former Finance Minister had not grappled with, and what he had succeeded in accomplishing, that he was worthy of the position. I should not have spoken of this matter had not my hon. friend referred to events of forty years ago. I have no regrets to express for the course that I pursued.

Now in reference to the Canadian militia, the right hon. leader of the House made a very sweeping charge, that under the Conservative government, Conservatives occupied not only the most prominent positions on the militia force, but that scarcely a Liberal could obtain appointment. I frankly admit that in the original organization of the force, from the time the Militia Act was placed on the statute-book by the late Sir George Cartier, the vast majority of the militia, so far as Ontario is concerned, were Conservatives. When the force was reorganized in the locality from which I come, there was scarcely a Liberal in Belleville that would volunteer at all, and when we put on our regimentals and walked through the streets, we were the laughing stock of the Liberal party. As time wore on, however, and particular events took place in the United States, especially the Fenian raids, the Liberals rushed to the front in every capacity. After those events, the question of politics in the militia never was heard of again. I had the honour and trouble and vexation of being Minister of Militia for about a year and a quarter, and I know the pressure that is brought to bear on a minister to do that which, if he has any stamina, he will resist at once. In Nova Scotia, certain things were urged on me at that time. I was asked to overlook the claims of certain militia officers, not on account of their politics, but on account of their religion, and I had the same pressure from the city of Toronto. I resisted all such attempts. The only question with me was whether an officer was fitted for the promotion to which

he was entitled, and, having found that out, in no case during the time I administered the affairs of that department have I failed to make the appointment. I am not satisfied that those who succeeded me have acted on the principle laid down by the right hon. leader of the House. I speak feelingly on this question. I spent a great deal of my time in connection with militia affairs. I have no cause to regret it; but I am glad to know now that in the province from which I come the people, as a whole, favour thorough military organization in order that we may be able, if the time should come, to defend ourselves and assist in defending the empire. I regret exceedingly that the present Minister of Militia in selecting gentlemen for the important position of controlling battalions, should permit partisanship to have any influence in making the appointments. The sooner the department adopts a different principle from that, the better it will be for the volunteer force in this country. It certainly will tend to promote harmony in all classes of the community should our citizens ever be called upon to defend the country. I have no fault to find personally with the present Minister of Militia. I have been given a high position in the militia of the country without making application for it, and I think my hon. friend beside me (Hon. Mr. Landry) has had the same experience. I shall not reply to the hon. gentleman behind me (Hon. Mr. Cloran), but I promise him that whenever he wants to make a stump oration on the management of the Militia Department under former ministers of militia, and particularly the Conservatives who for many years controlled that force, I shall be quite prepared to meet him and to inquire of him what his conduct has been in the past when the services of volunteers were required in defence of this country.

Hon. Mr. DANDURAND—Although I have never served in the militia, I have noticed what has been going on around me in the province of Quebec. There has never been a suspicion, at all events in Montreal—and I am sure the hon. member from Stadacona (Hon. Mr. Landry) can say the same of Quebec—that politics entered into the appointment and promotion of militia officers. I doubt if there is a Liberal today commanding a regiment in Montreal. Nobody takes exception to that. It just happens that by the order of promotion the commanders are Conservatives. There may be Liberals commanding regiments elsewhere in the province of Quebec, but I am quite sure that the hon. member from Stadacona (Hon. Mr. Landry), who has himself commanded a regiment under Liberal rule, will bear me out in saying that politics have played no part in the appointment and promotion of officers. I am told that some one was appointed in Nova Scotia who had not belonged to the militia, and the Minister of Militia is held responsible for that appointment. He may or may not be responsible. There was considerable commotion in Canada when Lord Dundonald seemed to prefer a man who had no qualifications, to a man in the militia in the command of a militia organization in the eastern townships.

The motion was agreed to.

APPOINTMENT OF A JUDGE FOR THE DISTRICT OF CHICOUTIMI.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who has been appointed judge of the Superior Court for the judicial district of Chicoutimi?
2. Where has the residence of the judge been fixed who has been appointed to adminster justice in the judicial district of Chicoutimi?
3. Does the judge in question occupy the residence which was assigned to him?
4. If not, why not?
5. At what distance from the principal town of his district does the honourable judge actually reside?
6. Is it the intention of the government to take into account the interests of litigants in that district, and to require the honourable judge to reside in the same district for which he was appointed?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are:

1. The Honourable Blaise Letellier.

2. At Chicoutimi.

3, 4, 5 and 6. The government has no information to indicate that the judge is not residing at Chicoutimi.

THE QUEBEC BRIDGE.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the House a copy of the order in council, dated 17th August, 1908, authorizing the transfer to the government of the Quebec bridge, and of all the assets, franchises and privileges then the property of the Quebec Bridge and Railway Company.

The motion was agreed to.

THE CARRIERE AND LAINE PROPERTY AT QUEBEC.

INQUIRIES.

Hon. Mr. LANDRY inquired:

1. Now that the government has become the owner of the Carrière-Lainé property by purchase from the Bank of Montreal, has it disposed of the movables purchased at the same time as the property in question?
2. Has the government sold it? When? To whom and at what price?
3. Has the government leased them? When? To whom and at what price?
4. What was the estimated value of the movables so leased or sold??

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Some retained by the department; some sold, and balance leased.

2. A dynamo and engine sold to Holliday Bros. for $200.

3. Yes, some with the land and buildings, south of the Intercolonial railway, to the Canadian Shoe Machinery Company for $4,000 a year for the first 10 years, and $6,000 a year for the following 20 years.

4. $20,005.75.

Hon. Mr. LANDRY inquired:

As the Senate has on the 22nd April last, issued an order for the production of copies of the several contracts entered into between the Bank of Montreal and the Peoples Bank of Halifax in 1905, and the government and the Bank of Montreal in 1909, in connection to the Carrière-Lainé property,—may it be hoped that the department concerned will be kind enough to comply with it, and produce, as soon as possible, the documents asked for?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department has informed me that the information was supplied in a return that has been laid on the table.

Rt. Hon. Sir RICHARD CARTWRIGHT.

THIRD READING.

Bill (T) an Act for the relief of Matilda Emo (Owens).

THE ROBERTSON DIVORCE CASE.

MOTION.

Hon. Mr. KIRCHHOFFER moved the adoption of the 6th report of the Standing Committee on Divorce, to whom was referred the petition of Lorne Forbes Robertson. He said:

In moving concurrence in this report, I would like, if the House would permit me, to make a few remarks on the subject of divorce. I think hon. gentlemen will admit that I do not often trespass at any great length upon the patience of the House, and I hope not to be too protracted to-day. But I do not expect to hold your attention continuously, for one could hardly make a speech on divorce that would be either amusing or entertaining; so I shall not consider my feelings outraged if I see any of my auditors settling themselves down to a comfortable snooze. All I ask is that they do not snore. A snore is so disconcerting. As Hamlet said to his father's ghost: 'Take any shape but that, and my firm nerves shall never tremble.'

And so, with the permission of the leaders of the House, I will proceed. I say leaders, for, of course, we all know that we have two. One able, urbane, courteous, gentlemanly, ever ready to try and uphold the traditions and dignity of the House, But the other is really the one who runs the House, so to speak—who dictates our movements, and regulates when we shall be allowed to proceed. He reminds me very much of a picture in 'Punch.' A tall and pompous English bishop is lecturing a trembling page boy, about some trivial offence, and shaking his finger at him saying: 'Wretched boy, who is it that sees and knows all that we do, and before whom even I am but as a crushed worm?' 'The missus, my lord,' sobbed the boy. In this case I am the crushed worm. The hon. member for Victoria division (Hon. Mr. Cloran), is, ahem! 'the missus.'

Now it was only a month ago that the hon. member for Halifax, who always takes an intelligent interest in these matters,

made a very interesting address in moving for a government report on the number of divorces that have been granted by the parliament of Canada, since 1894 to 1910, inclusive, together with the number of divorces granted by each of the courts in Nova Scotia, New Brunswick, Prince Edward Island and British Columbia. In order to show how frequently, two great minds conceive the same idea, and advance simultaneously along the same lines, I may state that, last session, I made up my mind to prepare as complete a history of divorce proceedings as could be obtained, and I think I have succeeded in collecting a mass of information that will make the government report asked for by the hon. member for Halifax, an easy matter to get up, if, they will only publish the facts, which I have prepared in order that it might be a record as far as I could make it, on this question, and I think when you peruse it, the eyes of many who have had their ideas warped by the vapourings of the 'missus', will get a great enlightenment, as I must admit my own did, in the course of my investigations. For much that it contains, I am indebted to the excellent work and indefatigable assistance of our able and talented law clerk, Mr. Creighton, who must have spent a considerable part of his summer holidays in collecting information for me.

The earliest instance of divorce in any of the Canadian provinces is to be found in the history of Nova Scotia by Beamish and Murdoch, vol. 2, p. 179, where it is stated that upon the 26th May, 1750, 'The Governor in Council exercised their powers as a court of divorce by granting leave to the husband, in case of the wife's adultery, to marry again.' This was within the first year after the organization of the province and the founding of the city of Halifax by Governor Cornwallis, whose commission was dated 6th of May, 1749, and who landed in Chedabucto Bay on 21st June, 1749. In the same volume, p. 208, it is stated that on April 8, 1752, 'several divorces were tried by the Governor in Council.'

These early divorces must have been only 'separation from bed and board,' for at that time no British Court had jurisdiction to grant absolute divorce; this could be had only by Act of Parliament.

In 1758 a legislative assembly had been formed for that province, and we find that in the first session of that body in that year an Act was passed, 32 George, 2nd chap. 17, 'An Act concerning marriage and divorce and punishing incest and adultery and declaring polygamy to be felony.' This Act was amended some three years later. Apparently as time wore on there was some difficulty in the construction of this statute, for we find that some sixty years later, viz: in the year 1816, an Act was passed, 56 George 3, chap. 7, entitled 'An Act to explain the Acts concerning Marriage and Divorce passed in the 32nd year of His late Majesty's reign.' Evidently every one was satisfied with the explanations given, for as some chronicler said in the Bible, the land had rest for twenty-five years.

However, shortly after the accession of Her Gracious Majesty Queen Victoria, namely, in the year 1841, we find 'An Act concerning the Court of Marriage and Divorce,' by which apparently a divorce court was constituted, followed in 1850 by a most important statute to the lawyers of that day entitled 'An Act to regulate the fees to be taken in the Court of Marriage and Divorce.' These were followed by other amending Acts in 1851, '59, '64 and '65, winding up in 1866 with one entitled 'An Act to amend the laws relating to Divorce and Matrimonial causes,' when the style of the court was changed to 'The Court for Divorce and Matrimonial Causes.'

I have no time to recapitulate the business done during the life of that court; but taking the decade from 1897 to 1906, inclusive, I find that there were 54 divorces granted. Two of these being for judicial separation, there is left only a fraction of over five divorces a year.

Prince Edward Island was created a separate province in 1769. There must have been a divorce court there as early as 1833, perhaps earlier, but the Prince Edward Island statutes contain nothing relating thereto. In that year we find 'An Act (5 William IV., chap. 10) for establishing a court of divorce and for preventing and punishing incest and adultery and fornication.'

There is not much information to be had regarding the early immorality of Prince Edward Island, as there are no statistics wherefrom such could be derived. But they must have been and still are pretty good down there, for it is stated by the Provincial Secretary's Office that there is no record of any divorce ever having been granted.

The earliest record to be found of divorce proceedings in New Brunswick, seems to point to a court having been constituted as early as 1787, for section 11, of 31 George 3, chap. 5, is as follows: 'And be it further enacted that an Act made and passed in the 27th year of His Majesty's Reign, entitled An Act for regulating Marriage and Divorce and for preventing and punishing adultry and fornication, be hereby repealed and declared to be utterly null and void.'

To show the difficulty that meets one in tracing up these records it may be mentioned that although the Bill on which the Act of 1787 was founded was introduced in the legislative assembly, passed by the legislative council and assented to by the Governor General, as is shown by the journals of the two Houses ; this Act is not contained in, nor even alluded to as being repealed, in the volume entitled 'Revised Statutes 1786 to 1836,' which was published in 1838. However, in 1791, an Act under the same caption was passed constituting a court composed of the Governor and His Majesty's Council, which has done duty to this date.

Hon. Mr. POWER—The hon. gentleman's information must be correct, because they have a court and judge in New Brunswick, the same as Nova Scotia.

Hon. Mr. KIRCHHOFFER—That is exactly so.

We now have to take a trip across the continent to the Pacific coast, where we find that the civil and criminal laws of England were established in the old province of British Columbia (the mainland, which was a separate colony from Vancouver Island) by proclamation having the force of law, by the governor of the colony, on 19th November, 1858. The Superior Court of British Columbia was established by similar proclamation 8th June, 1859. By the Imperial Act 29-30 Vic., chap. 67, the two colonies were united into one under the name of British Columbia from 17th November, 1866, by proclamation of the governor dated the same day.

By the English Law Ordinance, 1867, the proclamation of November 19, 1858, was repealed, and it was enacted that 'from and after the passing of this ordinance the civil and criminal laws of England as the same existed on the 19th day of November, 1858, and so far as the same are not from local circumstances inapplicable, are and shall be in force in all parts of the colony of British Columbia. In 1877 this gave rise to a long and interesting controversy as to whether the English divorce law was thereby imported. The question was not settled until 1908, when the Judicial Committee of the Privy Council, in the case of Watts and the Attorney General of British Columbia v. Watts (A.C. 1908, 573), held that the effect was to introduce the 'Divorce and Matrimonial Causes Act, 1857,' which came into force in England on January 11, 1858, and the amending Act which came into force in England on August 2, 1858, and to give the Supreme Court of British Columbia 'jurisdiction to entertain a petition for divorce between persons domiciled in that colony and in respect of matrimonial offences alleged to have been committed therein.'

The result of the existence of those provincial divorce courts is that in the Dominion of Canada, as at present constituted, applications to Parliament for Acts of Divorce are only made in cases arising in the provinces of Ontario, Quebec, Manitoba, Saskatchewan, Alberta, and in the Northwest Territories. I know that statistics are dry matters, but I will ask you to bear with me for a few minutes while I tell you the number of divorces that have been granted by Parliament, compared with those in the provinces that have divorce courts.

I have taken the latest decade for which I could get complete returns. It covers from 1897 to 1906, inclusive, and is chosen for comparison because the statistics for the Provincial Courts and for the United States, are only available up to 1906.

During that period the total Canadian divorces granted were only 198, and of these 145 were granted by the courts and only 53 by the Parliament of Canada. The average population of Canada during that decade was 5,614,506. Thus, there was granted in all Canada one divorce to every 28,356 of the population, while by Parliament there was granted but one in every 1,600,000. This does not look as if we were promoting immorality, does it? Per contra, there were granted during the same period in the United States, with an average of about 80 millions of people during the decade, 593,362, and in Great Britain 5,768 divorces.

For the purpose of keeping these statistics on record for future reference, I may enumerate the divorces by provinces.

PARLIAMENTARY DIVORCES.

Province.		No. of Divorces, 1897 to 1906.		Average Population 1897 to 1906.	Average.
		Husbands.	Wives.		
Ontario	31	17	14	2,239,684	1 in 72,248.
Quebec	10	9	1	1,709,801	1 in 170,980.
Manitoba	5	2	3	292,827	1 in 58,565.
Northwest Territories	7	5	2	217,025	1 in 31,003.
	53	33	20		

PROVINCIAL DIVORCES.

Province.		Average Population 1897 to 1906.	Average.
Nova Scotia	54	475,215	1 in 8,800.
New Brunswick	19	339,390	1 in 17,863.
Prince Edward Island	0	104,026	
British Columbia	72	180,558	1 in 2,600.
	145		

1867-1910.

DIVORCES GRANTED BY THE PARLIAMENT OF CANADA SINCE CONFEDERATION.

1868	1
1869	1
1873	1
1875	1
1877	3
1878	3
1879	1
1884	1
1885	5
1886	1
1887	5
1888	3
1889	4
1890	2
1891	4
1892	5
1893	7
1894	6
1895	3
1896	1
1897	1
1898	3
1899	4
1900	5
1901	2
1902	2
1903	7
1904	6
1905	9
1906	14
1907	5
1908	8
1909	16
1910	20
Total	160

A little over three and a-half divorces a year.

So that it does not seem as if the record

or the divorces that were granted by the parliament of Canada bore any proportion to the divorces granted by the provinces which grant divorces through the courts. We never hear any outcry from moral reformers about the divorces granted by courts of law. All the vials of their wrath are being directed against those granted by the Senate. The Divorce Committee of the Senate has been often accused by the hon. gentleman from Montreal, as well as by a member of the House of Commons named Ethier, who is, or used to be, the chairman of the Private Bills Committee in that House, of granting divorces on evidence you would not hang a cat upon. I think that is the favourite expression they use.

Hon. Mr. CLORAN—Change it from a cat to a dog.

Hon. Mr. KIRCHHOFFER—Indeed, from the outcry which has been made, and the virulence of the attack upon us, one would imagine that the provinces which are under the jurisdiction of the Senate in the matter of divorce were being granted divorces wholesale, and that all the petitioners had to do was to come before the Divorce Committee, and without any sufficient evidence being produced, divorce would be granted, and they would be relieved from their matrimonial engagements. It is thought by some that the country at large would take no notice when such statements appear in the public press. Of course, the reporter is anxious to announce that Mr. Ethier, in the Commons, and the Hon. Mr. Cloran, in the Senate, make the above remarks—I mean those original remarks about the hanging of a cat on the evidence; but you are entirely mistaken, because you will find thousands of people believe anything they see in the paper, no matter how thick the head or slimy the tongue that gives utterance to it, and when these remarks are made and published in the press it would astonish hon. gentlemen how people who are accustomed to reading newspaper articles will take notice of them. I recollect the time when that remark was made, the editor of the 'Mail and Empire' wrote a strong article on it, and without anything further than that remark to go upon, censured the Senate committee for having granted divorces in this way. At he same time there was a good deal of discussion in the press about a marriage that had been allowed to take place between two children under the age of 16 years. I remember how gravely the editor of the 'Mail and Empire' pointed out that in all probability they were drawn into making this unfortunate marriage by the fact that all they would have to do later on was to go before the Senate and get it annulled without any evidence whatever. Mr. Ethier, while making these sapient remarks, which he had copied—

Hon. Mr. CLORAN—I rise to a point of order. I have heard the name of an hon. representative of the people mentioned two or three times in a very disrespectful way. I ask if it is proper to mention the name of a member of the Commons and denounce him as the hon. gentlemen is doing here? I ask a ruling on that point!

Hon. Mr. SPEAKER—I have heard nothing in the remarks of the hon. gentleman which is out of order.

Hon. Mr. CLORAN—I heard the expression 'slimy tongue.'

Hon. Mr. KIRCHHOFFER—I was using it in a general way.

Hon. Mr. CLORAN—Is it right to mention any member of the other House by name, whether for glory or abuse?

Hon. Mr. SPEAKER—It is a broad question put in that way.

Hon. Mr. KIRCHHOFFER—I shall allude to him as the member for Two Mountains.

Hon. Mr. CLORAN—I insist on my point being settled, whether in this House an hon. member has the right to name a member of the House of Commons and discuss his merits or demerits in regard to legislation? The ruling is necessary, because I may have to do the same thing myself. I want to have a ruling whether a senator has the right to use the name of a member of the House of Commons as the hon. senator has to-day?

Hon. Mr. KIRCHHOFFER—I am not referring to a debate in the House of Commons. I am referring to a measure that came before the committee and what appeared in the public press.

Hon. Mr. SPEAKER—I have not heard any person's name mentioned as a member of the House, or anything he has done as a member of the Commons called in question. The name may be the same as some member of the House of Commons.

Hon. Mr. KIRCHHOFFER—I am alluding to the public expression in the press. Mr. Ethier made use of the very remark which he quoted. I have no doubt he originated it.

Hon. Mr. CLORAN—I originated the expression 'dog'.

Hon. Mr. KIRCHHOFFER—He should have pointed out that he was the chairman of the Private Bills Committee in the House of Commons before whom all these Bills came. That Bill came before him, and he laid it before the committee, and he should have called attention to the fact that the Senate was granting divorces in this way, and point out that they must throw out that Bill and not present it to the House. When he was making this statement to the reporters, he should have added on his own account: 'I have been myself particeps criminis with the Divorce Committee of the Senate by not representing this to my committee, and by allowing it to go through when I should have got them to throw out this Bill there or in the Commons.' I think he is deserving of a great deal of censure.

Hon. Mr. CLORAN—Another point of order. Has any member of this House a right to say that a member of the House of Commons is deserving of censure in the discharge of his public duties? I think it is the duty of the chair to give a ruling so that we may be guided in our future discussions. I do not think it is proper for any hon. member to rise and say that a member of the House of Commons, who is discharging his duty, deserves censure.

Hon. Mr. LOUGHEED—He is not discharging his duty.

Hon. Mr. SPEAKER—I have not heard any such charge made at all. There has been a definite statement in reference to a gentleman as to what he has done and what he has not done, and that is quite within the province of an hon. member.

Hon. Mr. CLORAN—The hon. senator has stated that the hon. member for Two Mountains deserves censure, and that is now in our official record and goes to the country. Has any hon. senator the right to make that remark?

Hon. Mr. SPEAKER—I have not heard the name of the member for Two Mountains mentioned in that connection.

Hon. Mr. CLORAN—The hon. Speaker will hear it to-morrow, or see it.

Hon. Mr. KIRCHHOFFER—The hon gentleman from Victoria division, in his many speeches in regard to this matter of divorce, has said some things both true and new. What he says that is true is not new, and what he says that is new is not true. I would like to disabuse the minds of a great many people in the churches, and other responsible people, who are imbued with the idea that the Divorce Committee is turning out divorces wholesale to the detriment of the moral well-being of the community. I have been a member of the committee for 18 years, during the greater part of which I have been acting chairman, and during that time if there was any merit in the remarks that are made by either the member from Victoria division (Hon. Mr. Cloran), or his friend in the House of Commons whom he is defending here, surely with the attacks which have been made on us during the whole of that time some of the Bills that have been reported from the Divorce Committee would have been thrown out. But during the 18 years that I have been on this committee there has not been one single report we have presented to this House that has not passed the Senate and the House of Commons and become law. I do not say that the committee has always been unanimous in their findings. That would be impracticable. A committee cannot be unanimous on this matter any more than on any other. But I would say that it has been a very

rare occasion when a member of the committee has spoken against the report which the majority of them have passed. I think it has only occurred on one or two occasions. Of course we know—there is no use denying it—the Roman Catholic church is against divorce; they have their opinion in regard to that and they stick to it, and when a divorce Bill is opposed, as we have seen occasionally here, the Roman Catholic members being joined by the high church members who entertain similar opinions on the subject, we have had strenuous fights for our divorce cases; but, of course, the committee has no personal feeling in the matter. They are merely there to administer justice according to their lights, and in obedience with the statute under which they are acting. But it has always seemed to me to be a rather curious thing that there should be a law in this land which entitled a person to relief, and he cannot get that relief because certain people have religious convictions against it. However I cannot object to that. As a rule they enter their protest by having it recorded as 'passed on division.' There is no objection to that. When these members fight in that way we can have no objection. Probably some members do not recollect the fact that on one occasion there was no divorce committee for three weeks. The Colton divorce had been before the committee, and the committee reported it to the House. It appears that one of the parties thereto belonged to a church opposed to divorce, but it was opposed not only by members who had religious grounds against it, but by several others, because of a matter I do not care to discuss now, who felt it was to the advantage of certain parties not to pass the Bill. It was felt when the Bill was defeated in this House that there had been a flagrant miscarriage of justice, and I tendered my resignation as chairman, and I was followed by seven other members. Eight out of nine members handed in their resignation. Then a very curious development arose, when it was discovered that there was no proceeding whereby another committee could be appointed for the purpose of trying a number of cases, some of them already half tried and others to come up, and all the influence that could be brougnt to bear upon us was used in order to induce the committee to withdraw their resignation; but we stood firm and it was not until after a lapse of three weeks, and representations being made to us that if we reintroduced that Bill into the House members who had voted against it would support it, that we resumed our duties. The committee reported the Bill; it went through the House and it became law, as it should have done from the beginning. The only other Bill that was defeated in the House was of comparatively recent origin. It was about three years ago, and is known as the Hadley case. The lady in the case was pretty and dramatic. She threw a glamour over even some members of the committee, and certainly over some members of the House who were not on the committee. She beamed upon them from the gallery with her bright eyes, and being strongly championed by the hon. gentleman from Portage la Prairie, the Bill was thrown out. But it did not take the House long to see that there had been a serious miscarriage of justice, and the following session the Bill was again introduced into the House. The member from Portage la Prairie was the first to come forward and make a manly speech, and admit that he had been entirely wrong in the action he had taken the last time, and together with other members of the House who had voted against it, he voted in favour of the Bill, and it passed and became law. But during the eighteen years I have been on this committee, there has never been a time there has not been some self-constituted champion in this House who considered it his duty and privilege to criticise the Divorce Committee until such time as, wearied out with his efforts, he gave over the unequal contest. The latest of these is the hon. gentleman from Victoria division, and he comes here vituperating with true Hibernian eloquence, like St. Paul breathing fire and threatenings against all the committee, and the dire things he will do against its members and their proceedings. There is rarely a session in which the hon. gentleman does not make some attack upon the committee, and the fact that he

invariably gets knocked out, does not quench his ardour in the slightest degree. He has a quaint idea—quaint is the only word I can apply to it, that if adultery is committed in a place which he does not consider is a nice place, that that adds very much to the horror of the offence. He also adopts a practice, which is very effective I think in some of the courts in the province, in which I have heard him say he had some experience the other day, of taking the evidence on one charge, and making out as it were that that was the only one upon which the committee had based its report. And he goes on to show how monstrous it is that they should have granted a divorce upon such evidence as that. The case that I allude to, the most recent case in which I will say the remarks I have made here apply, was a case which occurred last year, known as the Barthelmes case, in which the hon. gentleman was very much interested and took a very active part. In this case, when the hon. Mr. Wood, in the absence of the hon. Mr. Kirchhoffer moved the adoption of the tenth report of the standing committee on divorce to whom was referred the petition of Alexander Augustus Barthelmes together with the evidence. Mr. Power made some remarks and at the close of them said:

It seems to me incredible that a young man of 26 who has just married a girl with whom he presumably was in love, should at the same time have committed adultery with a woman whom he did not know.

Then Mr. Cloran, 'and in the backyard.'

Hon. Mr. CLORAN—Yes, in the backyard, that was true.

Hon. Mr. KIRCHHOFFER—I presume that if the offence had occurred between lavender scented sheets it would have been mitigated. The hon. gentleman thinks if it is not done in a nice place it adds very much to the crime, and then the next I will quote is as follows:

Hon. Mr. CLORAN—I feel elated. I did not think my method of examining divorce reports would so soon be vindicated. I thought I should have to wait another ten or twelve years before the method I have put before the House and the country of granting divorce would be advocated.

Hon. Mr. CLORAN—Who said that?

Hon. Mr. KIRCHHOFFER—The hon. Mr. Cloran.

Hon. Mr. CLORAN—I deny that statement.

Hon. Mr. KIRCHHOFFER—I am reading from the Senate debates the remarks that were made. The hon. gentleman's first remark was 'and in the back-yard.'

Hon. Mr. CLORAN—Yes. Does the official report put it in the way the hon. gentleman has read it?

Hon. Mr. KIRCHHOFFER—Yes.

Hon. Mr. CLORAN—I was never reported that way.

Hon. Mr. KIRCHHOFFER—Yes. The report reads that way, and the hon. gentleman proceeds to say:

I am exceedingly grateful on behalf of a large community of Canadian people for the remarks that the hon. member from Halifax has just made, and I can tell him that he will have the support and approbation of all good-thinking people.

He speaks for a large circle of friends. Then the hon. gentleman proceeds:

He has undertaken with his experience, his prestige with his old acquaintance in the Senate to break from his rule of silence and the community will be thankful to him in this matter. He has not tackled a more serious question in this House since he has been in it, because it underlies all our prosperity, all our happiness, and all our respect for moral living as a God-fearing people. The hon. member from Halifax probably not weighing it——

Poor fellow he did not know what he was doing. Then the hon. gentleman continues:

—has rendered a service to-day on the floor of the Senate that will not be forgotten. He has brought before the country the fact that divorces are granted on evidence that would not hang a cat, as stated on the floor of this House seven years ago, and again two years ago on the floor of the House of Commons.

He is so proud of that remark that he repeats it. As Touchstone says 'A poor thing, but my own', and then he goes on:

There is no court in the British Dominions, or even in the courts of the United States that would grant a divorce on the evidence in the case.

He says that from his great experience, and his practice in the courts in both these countries. He continues:

The evidence is insufficient; it is not corroborated. The evidence smells of the slums.

I presume the back yard is accountable for that.

Hon. Mr. CLORAN—I have no objection to the hon. gentleman reading my remarks, but I have every objection to his putting words, or insinuations, in my mouth that I have not uttered.

Hon. Mr. KIRCHHOFFER—Do not get annoyed.

Hon. Mr. LANDRY—I think there is divorce between the two hon. gentlemen.

Hon. Mr. KIRCHHOFFER—The hon. gentleman from Victoria division then proceeds:

And as the hon. member from Halifax has remarked, the man upon whose testimony this divorce is granted was married in June last, and had the vile courage to come before an honourable committee of this House and state that he committed adultery with the respondent in a dirty lane behind his own house.

There is the point, the place that it is done has such an effect upon the whole thing. If the lane had been cleaned up for the occasion it would not have been so reprehensible. He proceeds:

These are my principles, and I know and feel that within my heart, this honourable House, and parliament as a whole, will endorse the views I have been expressing here for seven years. I know hon. gentlemen 'have moss-covered ideas' on this matter.

I should think his speech would scrape the moss off several of them. He proceeds:

They should wake up to modern conditions, and help to preserve the welfare, spiritual as well as material of the nation.

This is the point I want to make against him when he takes up one particular case and tries to make out the divorce was based on that. Fortunately the hon. Mr. Bostock was in the House; he is a member of the committee and took the hon. gentleman to task, as follows:

Hon. Mr. BOSTOCK—The members of the Senate who have spoken on this matter seem to think that the divorce is recommended on the evidence of Adair; but if they will read the preamble of the Bill they will see that the act of adultery is with one David Foster. When the matter was before the committee, they realized that the evidence of Adair was not corroborated, and that he was giving evidence against the woman, when he was as guilty as she was. The evidence of Foster was to the effect that he was with this woman the night she came around to his house, and though he would not admit that he had actually committed the act of adultery, we have the evidence of the wife to this effect.

I shall not sully my remarks by stating the disgusting details of the evidence given by Foster, and on which the divorce at that time was granted, but I say that for a member to come before this House and take one case, and that a case on which the committee did not grant the divorce, and base his eloquent remarks on that, and then to apply it, although he must have known all along that he had not given to this House at all the case upon which the divorce was granted is a most reprehensible proceeding. But in spite of his unfair attacks, I still have a sneaking regard for the hon. member from Montreal. He carries me back to the days of my boyhood when some of my earliest recollections are connected with a 'real ould Irish gintleman' of his name who lived in a little sod cabin upon the mountain side overlooking my father's rectory. He used to come out with me shooting and carry my game bag and shot pouch (it was before the days of breech-loaders) and we would tramp the mountains after grouse and the bogs for snipe, and many a potato and butter and a bowl of milk have I partaken of in his hospitable cabin. He called himself 'The C'Cloran' and said he was the head of the clan and if he had his rights he would be King of Ireland—and he too had a rude sort of eloquence and he had an influence over his audience, as the hon. member from Montreal apparently has upon certain members of this House who are great admirers of his, and always support him, as they did after the impassioned harrangue which I have quoted and they came very near defeating our report.

I read from the official report. 'The Senate divided on the motion.'

Senate divided on the motion. It was adopted, contents 23, non-contents 18.

Hon. Mr. CLORAN—We are getting them converted

Now, this was a great feat, and I think it should be commemorated. In days of

old the records of great feats were preserved for posterity by beautiful paintings and frescoes typical of the event. Hon. gentlemen have no doubt seen many, such as for instance, 'Ajax defying the lightning.' 'The Spartans at Thermopylae.' 'Napoleon crossing the Alps,' and that beautiful if suggestive picture, 'Phryne before the Tribunal of the Roman Senate.' I would suggest that in commemoration of this great feat of the hon. gentleman from Victoria division we should have a fresco on the walls of the Senate. I do not pretend to be very learned in matters of heraldry, but I would suggest that it include several members of the Senate Couchant—the reporter's regardent, a franco-Irishman Rampant, and the motto, 'The O'Cloran Convartin' the Senate.'

Hon. Mr. CLORAN. I think it is only proper that I should make a few remarks in reply to the very discursive speech of the hon. gentleman from Selkirk, after his migration from the bogs of Ireland. I followed the hon. gentleman in his remarks, and I think a large portion of them are due to the labour and the pen of the law clerk of the Senate. That is, the compilation of the statistics, in regard to divorce in this country. If the hon. gentleman has not given his congratulations to the law clerk and his very sincere thanks for the work he has performed——

Hon. Mr. KIRCHOFFER—The hon. gentleman did not hear me when I did so.

Hon. Mr. CLORAN—I heard him state that what he was putting before the House had been prepared by the law clerk of the Senate, and that he had taken up quite a considerable time of his summer holidays for practically a labour of love. If the hon. senator has not extended to Mr. Creighton, his congratulations and thanks, he will kindly permit me to do so, and if he has done so, I will be only too happy to endorse what he has said. Although I do not know that the history of divorce dating back to the year 1730, commencing away down in the province of Nova Scotia, would have any effect on the practice of to-day, we went over the history of divorce from 1733, from the time of Cornwallis, to the constitutional changes that occurred after the taking of Quebec. I fail to see that all that ancient history could throw any light on the subject which is discussed here to-day and is discussed throughout the country. He failed to point out that divorce was really granted in any of these enactments in the past. I believe no absolute divorce ever was granted under those enactments. There may have been separations from bed and board, but divorce, as we understand it to-day, giving the guilty party a right to remarry five minutes after the court has separated them, has not been proved to have occurred in the old days. Both the hon. senator and the law clerk would have difficulty in proving anything of the kind. It is only within recent days that divorce, as it is now known, has crept into the social and family life of the human race, much to the detriment of morals and good living. One fact is not taken into consideration to any great extent by the hon. gentleman from Selkirk. It is that divorce is given to the applicant, as I will have occasion to prove later, whether the respondent is guilty or not. Once a petition is laid before this committee, it is sufficient for the petitioner to make a demand for divorce obtain it. That branch of the subject I will not discuss to-day, as it necessarily will have to come up for discussion in connection with one or two cases I have in my hand. I might be allowed to point out to the Chairman of the Divorce Committee, that he has on the Order Paper of to-day several divorces for consideration, and we have not yet the evidence upon which to render our judgment. While that is the condition of things, the Chairman of the committee, when we come to them, will move concurrence in the reports although the evidence is not yet printed.

Hon. Mr. KIRCHHOFFER—The hon. gentleman is mistaken. I intend to move that all those Bills stand over until to-morrow.

Hon. Mr. CLORAN—The hon. gentleman has moved concurrence in this report, although the evidence has not yet been distributed.

Hon. Mr. KIRCHHOFFER—The evidence was distributed a week ago.

Hon. Mr. CLORAN—It was only delivered to me at three o'clock to-day.

Hon. Mr. SPEAKER—The evidence in this case was distributed at least eight days ago. There is no doubt about that.

Hon. Mr. CLORAN—The hon. Speaker may have received a copy, and he is kind enough to inform the House of the fact. I have made a statement which cannot be contradicted, and on which I think the hon. Speaker should not have interrupted. I am stating that the evidence in the case now up for consideration, was only placed in my hands at three o'clock to-day. I called the attention of the Postmaster to the fact, and said: 'How is it I am only getting the evidence now'?

Hon. Mr. WILSON—I know I have had that evidence for seven or eight days. I have carefully looked over it, and I do not think the Chairman of the Divorce Committee is under any obligation to see that the hon. member from Victoria division gets hold of his papers. They are there for him, and he can get them any time he wishes. I think the Speaker was perfectly right in announcing that the report was distributed at the proper time.

Hon. Mr. LANDRY—I have just received at the post office to-day the evidence in two divorce cases in one envelope. One is the Hornell case, and the other the Lorne Forbes Robertson case.

Hon. Mr. LOUGHEED—May I ask my hon. friend if there ever has been a case in which he has asked for an adjournment on the ground of too short a time to peruse the evidence? I have never known of an application being made to postpone a case for the purpose of giving time to read the evidence, that the adjournment had been refused.

Hon. Mr. CLORAN—I fail to appreciate the interference of several members in this regard. My statement stands uncontradicted, notwithstanding the interference of hon. members, with their counter-affirmations, or the interjections by the hon. Speaker himself. The hon. member for Stadacona confirms what I have stated, that the evidence in the second order of the day was only placed in my hands by the Postmaster this afternoon. I am still more aggrieved to find that the evidence has been hidden from me for eight days.

Hon. Mr. WILSON—No one contradicts the statement the hon. gentleman has made, that he did not receive the evidence himself; what has been said is that the evidence was printed and in the hands of members a week ago. That is no contradiction of his statement.

Hon. Mr. CLORAN—Then I say that statement which the hon. gentleman is now making is not correct, because I am a member and it has not been in my hands. It was not in the hands of the hon. member from Stadacona. Consequently the statement made by several members that the evidence has been in the hands of senators is not correct, or in accordance with the facts. The hon chairman of the committee says that he never tried to put a Bill of Divorce through without the evidence being in the hands of members. I have just pointed out that in the order before us we have not had the evidence.

Hon. Mr. KIRCHHOFFER—I do not pretend to say that I go around to every member here and ask if he has read the evidence. I say that I myself know that the evidence in this case was distributed eight days ago. The hon. gentleman must not go on repeating that we have stated what is incorrect. There are 80 members here; the hon. gentleman can speak for himself but not for others.

The SPEAKER—We have under discussion a motion to adopt the report, and I ask hon. gentlemen to confine themselves to that subject. If any one wants to have the order adjourned because he has not had an opportunity to read the evidence, I have no doubt his request will be granted.

Hon. Mr. CLORAN—I bow to the ruling of the Chair, and I am only sorry that it was not applied to the chairman of the committee. If I am out of order he must have been out of order for the past hour and a half. I am simply answering arguments of the Chairman of the Divorce Committee, who has been permitted to dis-

cuss matters absolutely foreign to the subject under debate. Now it is kindly suggested, if not authoritatively so, for me to consider the report. I am prepared to do so and abridge my remarks in reply to the hon. chairman of the committee. He is very witty in his remarks about his living in a mansion. I shall not forget him.

The consideration of this report is now before us. I hold that this honourable House would not consult its judicial spirit if it were to adopt the motion. The House has now, from two members, a statement to the effect that the judgment to be delivered on this report will have to be rendered in the dark as far as several of us are concerned. This thing of rushing divorce Bills through without the members of the House having the evidence in their hands is not to be tolerated. It looks like smuggling legislation through parliament. Why was the evidence in this particular case hidden from us until the very last moment when judgment was to be rendered by this court? I am asking the authorities of this House why that evidence was kept from us? If it is a fact—and I believe it is a fact—that the evidence has been in the hands of some senators for the past week or ten days, then I am entitled to an answer why it has been withheld from me and from the hon member from Stadacona, and the hon. member from Halifax? Who is responsible for this suppression of the evidence?

Hon. Mr. LANDRY—Does the hon. gentleman want to have a debate on that question? If so he could have the order postponed until to-morrow.

Hon. Mr. CLORAN—I move the adjournment of the debate for a week.

Hon. Mr. KIRCHHOFFER—Until to-morrow.

Hon. Mr. CLORAN—There is not time to read the evidence and digest it and be ready to take up the case to-morrow. It is not a question, as the hon. leader of the opposition did me the honour of suggesting the other day, of my being very susceptible and having a tender conscience in this matter. That is probably so, but it is no disgrace, and probably it would be better if others had as tender a conscience as mine on this subject. What I want is time to read this report. I therefore move that the debate be adjourned until to-morrow.

Hon. Mr. WILSON—I should like the hon. gentleman to tell me if he should be prepared to render a judgment to-morrow, will he qualify himself to be able to vote in favor of divorce?

The motion was agreed to, and the debate was adjourned.

THE STAPLETON DIVORCE CASE.
DEBATE RESUMED.

The order of the day being called :

Resuming the adjourned debate on the motion for the consideration of the fifth report of the Standing Committee on Divorce, to whom was referred the petition of Dalton Mabel Stapleton, together with the evidence. —Hon. Mr. Cloran.

Hon. Mr. CLORAN—I do not want to impede the course of public business, but I am prepared to proceed with the discussion of this Bill now, though it is nearly six o'clock.

Hon. Sir MACKENZIE BOWELL—What is the objection to the Bill?

Hon. Mr. CLORAN—The objection is one of a most radical kind—there is no evidence whatever to support it. It is a question of legal procedure.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman had better move the adjournment of the debate.

Hon. Mr. CLORAN—I have made it a labour not of love but of duty to go through this evidence most carefully, and from a legal and judicial view I find nothing in it to warrant this House in passing the Bill. There are only four witnesses in the case—the petitioner, a private detective, a law student and a commercial traveller.

Hon. Mr. CAMPBELL—What does Mabe' say about it?

Hon. Mr. CLORAN—Mabel has nothing to say against the poor man, only he sometimes got drunk. The question is put to her : ' What was your grievance against

your husband?' And the reply is: 'He used to get drunk.' There is no question of adultery, none whatever. Now remark that this poor woman was under the questioning of the chairman and of her own attorney, and the cross-firing of the attorney that the poor hostler happened to have to defend him. She answers seventy-nine questions, not more than half a dozen bearing on the case itself. There is not one of her answers alluding to adultery. There are charges of drunkenness and non-support. If the committee had the power jointly with parliament to grant divorces on such grounds, a case is made out; but our system prevents us taking action along such lines, and we have no right to do so. Any senator who votes to grant divorce on the grounds stated here is violating his oath of office. We have established courts to deal with these matters of abandonment and drunkenness on the part of married people, but parliament has no right whatever to grant a divorce on such grounds. Remember, this woman has been a grass widow for 26 long years. She lived with her husband for two years. She had a child at the end of the first year. He used to get drunk then, but she lived with him, and, finally, by mutual agreement, they separated, his father taking charge of her and the child for a time. Then for two years she went to live with her sister, and the question was put to her: 'Did your husband ever call on you to see you?' And she answered: 'No, he did not.' I think it was the lawyer for the respondent asked why he did not call, and she answered: 'My sister, at whose house I was living, would not let him in,' and that is what the committee calls abandonment. He might call as often as he wished, but he had no right to enter the house. They have tried to leave the impression that this man was in a state of perpetual drunkenness. I am not here to defend the character of the poor man, although he may not have been born in a mansion. His father may have had his cabin under the shadow of a castle.

At six o'clock the Speaker left the Chair.

After Recess.

Hon. Mr. CLORAN resumed. When the Senate rose after recess, we were occupied with the question of whether the petitioner in this case had made any proof against the respondent, and I was endeavouring to point out that she had made no proof whatever. The hon. member from York (Hon. Mr. Campbell) put a very pointed question to me, which I was not in a position at the moment to answer. The question was: 'Did the wife prove adultery on the part of her husband?' and my answer was: 'Absolutely none from the wife, with the exception of one question to which she gave an answer.' It was put to her by her attorney. She had nothing to allege against her husband except drunkenness and abandonment. Drunkenness, I admit, was proved, but not to the extent the committee would lead us to believe; but I contest the right of the committee to submit to parliament that the respondent had abandoned his wife voluntarily and against the law. The wife herself says: 'We separated according to agreement after two years of married life.' Then the attorney for the petitioner, not finding evidence to justify a parliamentary separation, because it is not judicial or legal in the ordinary sense of the term, put this improper and illegal question: 'Have you condoned any of these offences, adultery or otherwise?' That, in any court, would have been ruled out peremptorily. That was putting a question which had no foundation in evidence up to that time. She had condoned his offence of abandonment and drunkenness for 26 years. Of adultery she had absolutely no knowledge, and the lawyer, unfairly put that question, and she said simply: 'No, I have not condoned them.' The Divorce Committee admitted that question and allowed it to go into the evidence.

Hon. Mr. POWER—Does not the hon. gentleman think that the fact of the respondent being represented by counsel made some difference in the case?

Hon. Mr. CLORAN—I regret to have to say that the counsel for the respondent did not do his duty. I know if I had been the attorney in the case that evidence would never have been in print. I did not wish to raise that question.

Hon. Mr. DANDURAND—The question and the answer constitute no evidence, so

there is no harm done. She says she has condoned nothing. It does not mean that she infers there was any particular offence.

Hon. Mr. YOUNG—The question is put in every case.

Hon. Mr. DANDURAND—That does not constitute any evidence against anybody.

Hon. Mr. CLORAN—According to the reading of this evidence, it constitutes evidence against the respondent.

Hon. Mr. DANDURAND—Oh, no; she answers she has condoned nothing, that is all.

Hon. Mr. CLORAN—There is no use splitting hairs. The hon. gentleman is an attorney and knows the value of questions and answers. He might as well have asked her did she condone the offence of murder, larceny, bigamy or anything else. There was no justification for the attorney putting the question as he did.

Hon. Mr. DANDURAND—I say no harm has resulted from it.

Hon. Mr. CLORAN—No harm legally, but a lot of harm from a public point of view. It is an admission of indirect means. It was an improper question to put, and should never have been tolerated, it should have been ruled out as soon as put. The only question the lawyer should have put was whether she condoned the drunkenness and abandonment. I say she has done both. She condoned the abandonment by the fact of having entered into an agreement with her husband to separate; therefore there was no abandonment. The crime of drunkenness is a common one. Surely parliament is not going to grant divorce for drunkenness? Parliament has no right to deal with the question on that issue. The issue at stake is one of adultery. Therefore, I charge the committee with admitting evidence that was absolutely illegal and unjust to the respondent. I stand by my charge, and I know it cannot be refuted. Next the committee produced before it a private detective of the Thiel Agency. That detective had been sent from Toronto to Peterborough on a special mission. He was sent there at the demand of the petitioner to ferret out evidence—to secure evidence of Stapleton's adulterous relations with other women which would justify the committee in granting a divorce. I do not happen to know the said detective, but I should like to meet him, because in the accomplishment of his duty, and in the giving of his evidence, he has proved himself to be an honest man, much more honest, and I regret exceedingly to have to say it, than the committee thought he ought to be. That detective went to Peterborough with the special direction, and for special purpose of ascertaining whether the respondent, Stapleton, was living in open adultery with other women. His evidence is that he went to Peterborough and managed to get an introduction to Stapleton, and found he was a hostler in a livery stable. The detective got into his confidence by offering him a position as manager of a chicken farm, and asked if he was a married man, to which Stapleton replied that his wife was dead. When asked if he should not marry again, he replied: 'I can have all the women I want.' That is the only admission made by Stapleton. He said: 'I have a room in the stable where I sleep with the horses,' and so on. The detective said: 'You do not seem to be well circumstanced here, won't you take the job of managing the chicken farm in the west,' and the old man said: 'I am not prepared to give you an answer; call around some other time.' The detective did so, but failed to find any fact justifying even the assumption that Stapleton was guilty of the statutory offence. There was absolutely no proof.

Hon. Mr. KIRCHHOFFER—What is the statutory offence that the hon. gentleman alludes to?

Hon. Mr. CLORAN—Adultery.

Hon. Mr. KIRCHHOFFER—Perhaps the hon. gentleman will tell me by what statute it is made a statutory offence?

Hon. Mr. CLORAN—There is no statute in the laws of Canada which says that only adultery shall be the cause of divorce.

Hon. Mr. KIRCHHOFFER—Then why call it a statutory offence ?

Hon. Mr. CLORAN—Parliament has never granted a divorce, except for adultery.

Hon. Mr. KIRCHHOFFER—Does that make it a statutory offence ??

Hon. Mr. CLORAN—It is worse. It is the custom.

Hon. Mr. KIRCHHOFFER—I have asked a question. The hon. gentleman says it is a statutory offence.

Hon. Mr. CLORAN—I will change the word statutory. According to custom, which is stronger than statute under British law, this parliament has never granted a divorce unless for adultery.

Hon. Mr. KIRCHHOFFER—The hon. gentleman had better make his statement over again.

Hon. Mr. CLORAN—The word statutory may not be strong enough.

Hon. Mr. KIRCHHOFFER—It is strong enough, but it is not true. The hon. gentleman knows it is not true.

Hon. Mr. POWER—It is not seemly, or according to order, that the hon. gentleman should be interrupted so persistently in making his remarks.

Hon. Mr. CLORAN—I appreciate the kindness of the hon. gentleman from Halifax, but interruptions do not trouble me. They add fuel to the fire. I hold that this parliament is under a stricter obligation than a statute would impose in not granting divorce, except for adultery, because custom is stronger than any statute. A statutory offence can be a crime to-day and a virtue to-morrow. To tell all the truth it has been the custom of this parliament for the past 45 years to grant no divorce except for adultery. Those who have not read the evidence as printed in this report, will be surprised to know that that detective was practically upbraided and found fault with, because he had not manufactured evidence against this poor man. We know of detectives who have entered into schemes to find out what they were sent for. That is the way it was put to the detective, and the detective in a calm, dignified and quiet manner, replied, 'That is not my business. I never tempt a man into crime to find truth against him.' You will find that practically in this report. I say all honour to that detective. Then we have a third witness, a law clerk of the attorney for the petitioner, and I am bound to give him credit also for honesty. If he ever succeeds in getting through his studies and becoming a lawyer, I have every hope that he will be an honest lawyer. He was sent to Peterborough to serve papers on the respondent. He made no desperate effort to secure incriminating evidence against Stapleton, but he had an off-hand conversation with him, and in that conversation, Stapleton alluded to the fact that his wife had come in for some property, and that if she wanted a divorce after 26 years of separation, he would not be in her way to obtaining a divorce, 'but,' he added, 'she has got to deal fairly by me, I am her husband, and she is my wife. We have been separated, it is true. Now she has got her father's portion and she cannot marry another man unless I get my share of that.' Is that a proposition on which we can base a divorce Bill? Was he not wise and prudent in saying that if his wife wanted a divorce she should at least share up with him? Then the law student said to Stapleton—and that is where I admire his honesty—'My dear man your wife cannot get a divorce at all under parliamentary rule unless we can prove adultery.' Stapleton says, 'Then she will remain without a divorce, because there is no adultery to prove.' There is the evidence of what transpired, and we are asked as a judicial body to grant a divorce on this evidence, a poor old man with nobody to defend him, working for his living, and he did not always have to work. He had his own livery stable, but drink brought him to the ground. Still he has remained for years and years in the same position. If he was the confirmed drunkard that some of the evidence would lead us to believe he was, he could not have held his position for two days. A man who is a continual drunkard cannot keep horses, wash buggies or attend to the convenience of the public, and yet the last witness, a man named Hamilton, described as a dealer in oil, and as having lived for 13 years in Peterborough, wishes to lead this parliament to believe that Stapleton was not only a confirmed drunkard but a debauchee, a man who did nothing else but live with strum-

pets, in the stalls of the stable. I do not know what Hamilton's object was in giving his evidence as he did, whether he is a seeker for the hand of the petitioner or not, whether the little fortune she came in for was enough to tempt him to come here and give his evidence; but I know, in reading the first part of his evidence, that this old man, rejected by society, was put down as having used his room off the stable for immoral purposes. Any man of experience knows that is not true, and could not be true, because if the proprietor knew it he would not allow such a state of things to exist for 24 hours. This man gives parliament to understand that Stapleton's little room off the stable was nothing but a rendezvous for the evil women of the town. This witness had been living in Peterborough for 13 years. He left home on the Monday morning early, and travelled through the country selling oil, returning late the following Friday night. When he was pressed for his evidence, he stated that when he got back at 10 or 11 o'clock there was nobody around but Stapleton and himself—the old man was waiting up for him. Then he was further pressed by the attorney for the respondent—and this is where he redeemed himself, and stated that only on one occasion, one evening and one morning, had he seen any women around the stable. He did not say they were with Stapleton, but that there was a woman around. That is the evidence on which we are asked to grant a divorce. I ask this honourable House if they are prepared to reverse all the obligations which are incumbent upon us as the safeguard of morality which the learned chairman of the committee seemed to sneer at this afternoon when he described us as the self-constituted champions of morality —that there were no protests from the moral reformers of this country against the way divorces are granted by parliament. If the House is prepared to reverse the methods of investigation and weighing evidence, then I will be in a minority. If the hon. members of the House are prepared to cast aside its obligations to family life towards the recognition of Christian doctrine in this country, I should like to know it. The chairman of the committee to-night said there were only two churches who were opposed to divorce—the Roman Catholic Church and the High Church of England. Am I justified in asking him the question if their opinion is not worth considering? Why force them to do what in their conscience they cannot do? I want to tell the hon. gentleman here and now that the Catholic Church and the High Church of England believe in the principle laid down by Christ, that whom God has joined together no man can put asunder, are not a minority in this country. But, unfortunately, in courts of justice, as well as in parliament, these issues are put aside as troublesome things. What business have we to discuss them? Hon. gentlemen, we have a serious duty to perform in this case, not so much as regards the fate of Mr. and Mrs. Stapleton, but we are here to-night asked to consecrate a new principle in the legislation of this country. We are asked to consecrate the principle that divorce can be granted on evidence that is insufficient. We are asked to consecrate the principle of granting divorces which parliament has no right to grant, either under statutory law or under the law of custom. The hon. chairman of the committee tried to be very humorous in regard to the snorers, to members of the Senate. He ought to know that while business is being transacted I do not snore, and it was a poor compliment to my colleagues to tell them that he would be satisfied with their somnolence on the condition that they did not snore. It was not in line with the dignity of this House to tell hon. members that they could sleep through a debate, and afterwards wake up and cast a vote, so long as they did not snore. That was one of his touches of humour. To my mind it was tragic enough in view of the fact that many of us are unable to spend three or four hours without taking a rest of some kind; but that is not my funeral. That is the funeral of more experienced and venerable members of this House. And then the hon. chairman of the committee was witty at the expense of my family. My family, even if they lived in a cabin under the shadow of a castle, were worth more than many of those who lived in castles and who are out of them to-day, and let me tell the hon. leader that, when he drew

attention to his high standing in this world and tried to cast a reflection on my ancestors, he was attempting a vain task, because my ancestors have found in one of their descendants a man able to rebuke and cast back at him the slur he cast upon them. We are Hibernians it is true—Hibernians who brook no insult either from one at home or anybody abroad. I am not a St. Paul as the hon. gentleman depicted me, but a follower of St. Paul, yes, and it is St. Paul's doctrine that I am trying to inculcate here as a self constituted champion. The hon. chairman of the Divorce Committee made many references to things offered for the consideration of the divorce of one Lorne Forbes Robertson. He brought us through a mire of statistics, and a regular labyrinth of them without any practical result. He alluded to speeches or remarks that I may have made in the past in conjunction with other honourable senators, in trying to stem this ever increasing flow of the tide of divorce. He made his utmost endeavour to cast ridicule upon these statements. The statements will remain, and his ridicule will be lost in oblivion. I can tolerate ridicule of that kind when I know that I am exercising a sacred duty towards myself, my family and my country, and the hon. chairman of the committee need not think that it is against him personally or against his committee that I take the stand that I do. I take that stand in conjunction with the most moral, elevated and intellectual minds of christendom against this evil of divorce, and I am proud to know that many of my colleagues hold the same views. But of what avail is this learned disquisition on divorce? To what account will it turn? The committee will bring in reports of this kind and expect parliament to pass them, because they have brought them in in the past, and we have had the solemn declaration of the chairman of committee, that the committee went on strike some years ago because parliament declined to accept their report in a certain divorce case. I ask this honourable House if that is not a nice declaration to make, that the committee went on strike and would not hold meetings nor hear cases simply because parliament, in its judgment, declined to accept the conclusions of that committee, and it was one of his strong arguments in favour of the position which he has taken to-day. I hope parliament, in the future, will be equally moved to reject reports from the Divorce Committee such as the one now under consideration, and if the Divorce Committee go on strike again, that they will be barred out for good for their utter disregard of what is due to parliament. Why should a committee exact from parliament, a decision along the lines of their finding? That is a doctrine to my mind subversive of parliamentary right and parliamentary privilege. He might as well tell us that once the committee has given a decision in a certain case, that it must be endorsed. We have reports from that committee, and we never know whether of the seven, eight or nine members who sit on that committee, whether four have been in favour of the divorce and five against it or vice versa. I have on one or two occasions been a silent spectator of the proceedings of that committee. I must say that there were neither nine, nor seven, nor four of the members of the committee present, and why should a judgment even of a majority of that committee compete with a judgment of parliament? And why should they go on strike and refuse to hear more cases, if parliament would not yield to their view? I hope that position will not be taken by this committee or any committee. I thought it was a very weak argument to place before parliament. The hon. gentleman mentioned the Hadley divorce case as the one at issue for the purposes of his argument. I am not responsible for anything that was done in that case. I leave that to the hon. gentleman from Portage la Prairie. I am not prepared to discuss the merits of that case nor the Barthelmes case. These are issues in which I had no hand; but I want the hon. chairman and the committee to understand that when a very serious case is proved before the committee, and the evidence is sufficient to justify members who believe in the right of people to separate, that I will be no constant obstacle; but where a petitioner has made out no case then I shall consider it my duty to step in, and my own view is still and will

hold good that when divorce is granted by parliament, that the privileges in that separation should only go to the innocent party, and that the guilty party, whether man or woman, should not be given privileges which are accorded to the innocent party.

Hon. Mr. WILSON—I think the hon. gentleman is out of order. He is supposed to discuss the acceptance or rejection of this present Bill. He says the man in this case should not be granted a divorce. If so, what right has he to declare that if the divorce be granted, the guilty party should not again marry? That has nothing to do with the issue.

Hon. Mr. SPEAKER—I think the question under discussion may well be confined to what is before the House, on the issue is the report justified by the evidence?

Hon. Mr. CLORAN—I have been proceeding exactly on those lines. I say that if Stapleton was the scapegrace, the debauchee and the irretrievable man depicted, certainly give him no privileges. The hon. senator from Elgin feels—

Hon. Mr. WILSON—I have no objection to the hon. gentleman feeling for himself, but I do not want him to feel for me.

Hon. Mr. CLORAN—I would have a tough proposition if I did that, I am not interested in the Stapleton case, but I have endeavoured, from a legal and judicial point of view, to point out that the evidence is quite insufficient to warrant any affirmative action on the part of this House. Many hon. members have made up their minds not to consider the higher elements of the case, but I am not going to enter into that. All they want is that the man went there with this woman, or that the woman went there with that man and the divorce must be granted. That is evidently the inspiring motive. As soon as that is proved, the divorce must be granted. We have listened to many able discourses on this question. I say that we should put every legal and judicial obstacle in the way of granting these divorces. Where they are sufficiently proved according to the needs of our constitution, then I have nothing to say except that I am prepared, and always will be, to refuse to the guilty party in a divorce case the same rights as are given to the innocent. There are three great evils which confront us, and which we come in conflict with every day in the year, and we have this question of divorce, the question of race suicide, another evil, and probably some day a measure may be necessary to prevent that evil. But sufficient for the day is the evil thereof, and I move, seconded by the hon. gentleman from Stadacona (Mr. Landry) that this report be considered this day six months.

Hon. Mr. BOSTOCK—I do not think the remarks of the hon. gentleman who has just sat down should be allowed to go unquestioned. He has taken great exception to the fact that the counsel for petitioner put to the petitioner the usual questions which the committee were bound to ask under the rules of the Senate in every divorce case. The hon. gentleman has made such a study of our divorce proceedings that he must know that in all the evidence brought before this House, these questions are always asked the petitioner, and he takes particular cases and refers to those questions and tries to make out that something very shocking and wrong has been done in asking the petitioner to answer them, which under rule 145 of the standing orders we are bound to do. The rule states:

> Connivance at, or condonation of the adultery, or collusion in the proceedings for divorce, is always a sufficient ground for rejecting a Bill of divorce, and shall be inquired into by the committee.

Then the hon. gentleman refers to the statement made by a member of the firm of solicitors who went down to Peterborough and saw the respondent in this case, and in the course of his interview with the respondent he stated that he was quite satisfied to supply sufficient evidence for this divorce if the petitioner was prepared to pay him money. The hon. gentleman seems to think that that is quite a proper thing to do, and apparently, if I understood him right, he has put himself on record as being in favour of collusion.

Hon. Mr. CLORAN—The hon. gentleman should disabuse his mind of that idea at once. I never made such a statement nor have I said anything to induce the hon. gentleman to believe it.

Hon. Mr. BOSTOCK—I think the Senate Debates will show that what I have said is very nearly correct.

Hon. Mr. CLORAN—Very nearly, but not quite.

Hon. Mr. BOSTOCK—The general evidence went to show that the respondent was a man of bad character, and in the very first evidence that was given by the petitioner, his own father took her and the child into the house, and practically told her she had better not have anything more to do with his son, and the woman left her husband.

Hon. Mr. CLORAN—Under agreement.

Hon. Mr. BOSTOCK—He did not want to say any more to her. It was proved that during the two years she was living with him, he was drinking heavily, and that he never showed any signs of reforming. He made no attempt at supporting his wife and child, and the woman naturally had to make other provisions for support. The evidence of Mr. Hamilton, dealer in oil, went to show that he kept his horse and buggy at the livery barn where this man Stapleton was the hostler, and that on account of the carryings on around that barn, he took his horse and buggy from there, and the evidence of the detective showed that the general character of this man around the town, was that of a reprobate, and not the kind of man that I think any woman should be forced to be tied up to. I therefore, think the committee was perfectly right in finding as it did in this case, and I hope the hon. members will support the finding. As a member of the committee, I would like to say that this whole business is a most objectionable duty for anybody to have to do with, and I think all the members of the committee feel it to be one with which they would very much rather have nothing to do. The amount of work this session has been great, the duties arduous and tiresome, and we have ahead of us a great deal of work, and it looks as if it would be carried on up to the close of the session, when there is a great deal of other business that the members of the committee would very much prefer to be attending to rather than be listening to a lot of evidence with feelings of horror and objection that such a thing should go on. An hon. gentleman of this House has spoken as if the decisions of the committee were arrived at, when only two or three members were present. The arrangement was made at the beginning of the session, in order to facilitate the business, that three members of the committee should be allowed to hear the evidence and that afterwards, when a sufficient number of the committee had had time to consider the evidence, the decision should be given, but in no case is a decision arrived at unless the full quorum is present, which is five. In as much as the full number of the committee is nine, the quorum is always five. Therefore, the hon. gentleman was not right in his statements when he said that the decisions were given when a smaller number than five were present. The hon. gentleman has spent a great deal of time and has spent a great deal of eloquence and energy in talking about divorce; but if he would try and use that eloquence and energy in having an amendment made to the British North America Act, by which divorce would be taken out of the hands of the Senate, I think all the members of the committee would feel very much indebted to him, and that probably he would be doing better work than he does talking about it in this way. I trust the House will support the committee.

Hon. Mr. BEIQUE—I desire to call the attention of the hon. member for Victoria division to the fact, that he seems to be labouring under a misapprehension when he states that there must be adultery to justify a divorce. Turning to Bourinot, page 798, I find this:

> As a principle, divorce has been recognized as a moral and legal consequence of adultery and other adequate causes which by the general sanction of law nullify marriage.

Logically, I would take it for granted that if, for instance, the woman is ill-treated by her husband, it might be a ground for divorce, and therefore it would

not be limited to adultery. I desire, however, to say this—and I do so because of the remarks of the hon. gentleman from Kamloops—I have not read the evidence sufficiently to warrant me in refusing to vote for the report of the committee. I hope that the evidence justifies the report that has been made; but I must say my strong impression is, that the evidence in support of the petition is far from being strong, and the committee may be encouraging applications for divorce that will occupy so much of their valuable time if cases of this kind are readily entertained. Even if I were not of the Catholic faith, I would be strongly in favour of restricting as much as possible the cases in which relief would be granted, and the committee should demand pretty strong evidence before granting divorce. The hon. gentleman from Kamloops, says that the quorum of the committee is five, and the evidence is heard by three members only.

Hon. Mr. POWER—They may hear it.

Hon. Mr. BEIQUE—It may facilitate the hearing, and as a matter of practice the evidence is sometimes heard by three members only. For my part, I think it is not advantageous. The committee acts in a judicial capacity, and I do not think the practice should be introduced of rendering any decision until a member has read the evidence. If the evidence is printed and read by the members, then it may be quite proper; but passing a judgment without having read the evidence, merely from reports which an hon. member may have gathered from his colleagues is not, in my opinion, proper.

Hon. Mr. LOUGHEED—May I correct what seems to be a wrong impression in the mind of the hon. gentleman from De Salabery. While three members may hear the evidence, it requires five members, or a majority of the committee, to make a report. Consequently, a report cannot be made by three members, and it involves the other members who join in that report reading the evidence and acquainting themselves with the case. I would like to make this proposition to hon. gentlemen who are listening to me, that to arrive at a conclusion upon questions of this nature involves a certain condition of mind, and if there be not that condition of mind there cannot be a proper judgment. Let hon. gentlemen not overlook the fact that the constitution of the country gives the right to the citizens of Canada to apply to the parliament of Canada for divorce. It is the right of every citizen to come here and set in motion the machinery of parliament, and to say under imperial authority, 'The Dominion of Canada, by its constitution, has given to me the privilege and right as a British subject, as a citizen of Canada, all the right which is involved in the law of divorce.' Every member of this Chamber, including the hon. gentleman from Victoria division, is sworn to perform his duty in properly administering without fear or prejudice the constitution of the country.

Hon. Mr. CLORAN—Hear! Hear!

Hon. Mr. LOUGHEED—There is no more distinction between a member of this Senate performing his duty than there is on the part of a judge in those provinces vested with jurisdiction in divorce administering the law of divorce in those provinces. Can any hon. gentleman fancy for one moment a Roman Catholic judge in the province of British Columbia, in the provinces of Nova Scotia, New Brunswick or Prince Edward Island, where they exercise this jurisdiction, saying from the bench, 'I am a member of the Roman Catholic church, and notwithstanding the fact that the law of the province is that I shall administer the law of divorce, yet as a member of the church I refuse as a judge of this court to administer that law? No hon. gentleman who is a Roman Catholic would for a moment say that a judge of the Supreme Court of any of the provinces, vested with jurisdiction in divorce, would for one moment take that position. He is sworn, and his duty is to administer the law as he finds it in the statute-book. There is no more distinction in the office to be performed by that judge than there is in the office to be performed by every member of the Senate. Therefore, I say it requires a condition of mind, namely that we must forget our prejudices, and the tenets of our religious faith, and must simply administer the statutes

as we find them. May I be permitted as a member of that committee to say that the committee is entitled to the very best and most loyal support that this House can give it in the performance of its duties. It has most arduous duties to perform. There has scarcely been a sitting day that that committee has not sat two or three hours, and has exercised its best judgment in dealing with these matters, and I appeal to the Senate as to whether that committee, which is very largely representative in its character, is not better fitted to make a report worthy of the consideration and support of the Senate, than the hon. gentleman for Victoria division, who approaches every proceeding of that committee with a prejudice which cannot possibly be overcome by any sense of duty. I say without any fear of contradiction that he has sought to embarrass without proper cause the proceedings of this committee from one session to another. I leave it to hon. senators to say. Permit me just to point out in this particular case the conclusive evidence as to adultery having been committed. And I quite join in what the hon. gentleman from De Salaberry has said, that it is not necessary under our constitution that adultery should be established.

Hon. Mr. POWER—Although it is not strictly necessary, it is the uniform practice.

Hon. Mr. LOUGHEED—I quite concede that, and there has never been a case in which that has not been done. This evidence requires some analysis, and it requires capacity on the part of the critic to be able to weigh the evidence. Nature has, of course, withheld from some the faculty of being able to weigh evidence. I have seen gentlemen who professed to be lawyers to have taken the very happy unction to their souls that they are able to teach the law and the prophets, so to speak, and yet who have not been able to weigh evidence properly. That requires capacity. May I ask you to employ that capacity while I review for a few minutes the evidence on that point. On page 8, Cohen is asked as to the admissions made by the respondent. He said:

I said 'If your wife is dead you should be married.' He said, 'I can get plenty of women anyway.' He said in his own stable he had a little room off the stable, and could take women there when he wanted.

Hon. Mr. CLORAN—He did not say he did.

Hon. Mr. LOUGHEED—The examination continues:

Q. Did he tell you for what purpose he took the women into his room?—A. I said, 'What do you have women there for? He said, 'Naturally a man has human nature, and I got them for that purpose.' I started to laugh and the conversation turned on the chicken farm.

Then on cross examination on page 9 he was asked:

Q. You had no intention to engage him to run a chicken farm?—A. No, it was to get next him.
Q. You had not known him before?—A. No.
Q. You had a casual conversation with him, and he told you he had kept a place where he could take women in?—A. That he had a place near there where he used to take women. I asked him to introduce me to one and he said, 'I do not know where they are now,' and got away from it.

Hon. Mr. CLORAN—Take the balance of the answer?

Hon. Mr. LOUGHEED—Then on page 11, Thomas Henry Hamilton, a man occupying a high position in Toronto, and who happened to be in the committee room, and who knew the petitioner in his younger days when he was residing in Peterborough, was asked to give evidence, and we find the following examination:

Q. You moved your horses from the barn on account of the women round the barn?—A. Yes, it got to be unbearable. They had a room where they slept in the livery barn, and when you came there in the evening you would find women there, and I could not stand it. I kept the horse for driving purposes.

Further on you find the following:

Q. April, 1896, was two years before you left?—A. Yes.
Q. And you found women in that place at night when you came down?—A. Yes, and in the morning.
Q. What time in the morning?—A. I used to come down early sometimes when I wanted to drive out in the country and they generally got out pretty quickly when I came.
Q. Stapleton was the hostler there?—A. Yes.
Q. And you found women there in the office where he slept?—A. Yes.

Then he is asked some questions by the chairman as follows:

By the Chairman:

Q. Was there a bed there?—A. Kind of a couch. He was there always.

Q. How many times that you went there did you find women there?—A. I should think probably half a dozen times or a dozen.

Q. When you went there in the morning, you found the women there?—A. Yes, and I told the proprietor I would not keep my horse there any longer if this thing continued, because there was a pretty bad character there.

Then as to the character of the woman:

Q. One that you new to be a noted character, and another one of whom you knew nothing?—A. I cannot say I knew nothing; her character was lightly looked upon. She was up in the police court and proven guilty of the charge.

Q. What charge?—A. The charge was living with a man and not married to him.

Q. How did you know about the other character around Peterborough?—A. It was a common thing on the streets that she ran a house.

Q. You heard that. You are not speaking of personal knowledge?—A. I am speaking as every one knew. She was living with another man she was not married to at the time.

Further on we find the following:

Q. On the occasions you came there, there were others besides yourself and Stapleton?—A. No, there was not. I would come in dozens of times when there was no one there but himself. His duty was to take the horse when we come in.

Q. I am speaking of the time you saw the noted character there?—A. There was nobody there but her and him.

Q. What did they do?—A. I came in the yard and she bolted out the other way. The bedroom was off the office, and she went out the office door. I was driving in the buggy. I accused him of it and said, 'This must stop.'

Q. That is the only occasion on which you saw her there on which she went out of the office?—A. She went out every time, she would slide as soon as any one came.

Q. Was she in the office every time?—A. I saw her in the office two or three times.

In face of that evidence, how can the hon. gentleman from Victoria division deliberately attack the capacity of this committee to weigh evidence of this nature, and say deliberately: 'there is no evidence?' I woud not like for a moment to think my hon. friend would deliberately make that statement, but I say he approaches these cases with such a degree of prejudice as to divest him of the proper exercise of the necessary judgment to weigh evidence. Here is the evidence of three parties, and the admission of the man himself. If this Senate requires more than that, the committee certainly would be unable, I think, in any case to find a charge more clearly proven than the Stapleton case, and I hope, under the circumstances, that the Senate in its judgment will not consider it wise to adopt the motion for six months hoist.

Hon. Mr. CLORAN—I will commence my remarks——

Hon. Mr. POWER—The hon. gentleman has spoken.

The SPEAKER—The hon. gentleman moved the amendment.

Hon. Mr. CLORAN—I have a right to close the debate, otherwise I shall move the adjournment of the debate.

The SPEAKER—I am in the hands of the Senate, but I have ruled the hon. gentleman is not in order.

Hon. Mr. CLORAN—Then I move the adjournment of the House.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has already spoken, and cannot move the adjournment.

Hon. Mr. CLORAN—Then I rise to a point of order.

Hon. Mr. POWER—The hon. gentleman cannot question His Honour's decision, unless he proposes to appeal from it.

Hon. Mr. CLORAN—Before appealing from the decision of the Speaker, I rise to a question of order, and the point is this: That the hon. gentleman from Calgary (Hon. Mr. Lougheed) has said that I made an incorrect or an incomplete statement to this House.

Hon. Mr. POWER—That is not a point of order.

Hon. Mr. CLORAN—I made no such incorrect statement. The statement I made was that the evidence quoted by him in regard to the presence of women, was calculated to lead one to believe that women were round there all the time.

The SPEAKER—The hon. gentleman is proposing to debate the question, and is quite out of order.

Hon. Mr. CLORAN—How can I raise a point of order unless I prove it?

Hon. Mr. POWER—It is too late to raise a question of order now.

The SPEAKER—The hon. gentleman should have raised the point of order at the time the statement was made.

Hon. Sir MACKENZIE BOWELL—All he can say is that he was misrepresented, and sit down.

Hon. Mr. DANDURAND—I should like to say a few words on the point made by the hon. gentleman leading the opposition, that the position of a senator on such a question was similar to that of the judge, who, although having religious scruples against granting a divorce would have to apply the law if the case came before him. There is no question that a judge sworn to administer the law must apply it when a case is before him. My only difficulty is the similarity of our position to that of a judge. I recognize the right of a party to come before this chamber for divorce, but I have some difficulty in coming to the conclusion to which my hon. friend has arrived, that we are in the same position as a judge who would hear such a case, and would have to pass judgment upon it.

Hon. Mr. WILSON—How about the Divorce Committee? Are they not compelled to give an opinion one way or another?

Hon. Mr. DANDURAND—Those who sit on that committee must hear the evidence and pass judgment upon it to the best of their knowledge; but it has not been absolutely clear in my mind since I have sat in this Chamber that there was not a certain difference between our position and that of a judge. It is true, a party can come here and apply for a divorce under certain conditions, and if the applicant establishes the guilt of the respondent I would quite understand that he should feel that he is entitled to a divorce; yet there is, perhaps, a larger question that dominates the judgment to be passed on the question of fact, and it is the question of policy. A private Bill is moved before this House. I wonder if a member of parliament cannot, in his own conscience and judgment, feel that it would be detrimental to the welfare of this country to expand and enlarge the demand for divorce by granting it more or less freely, and it seems to me that one who holds in his own conscience that it is detrimental to the welfare of the country that divorce should be granted, may be somewhat slower than his neighbour in voting in favour of such a Bill.

Hon. Mr. LOUGHEED—Would my hon. friend point out any distinction between divorce and railways? Would a member of this House say: 'I am opposed to railways entirely, and I will not support any charter'?

Hon. Mr. BEIQUE—This is a question of morals.

Hon. Mr. DANDURAND—I am afraid the hon. gentleman will himself, when he turns the matter over in his mind, see there is a difference between the two cases. I have not reached a very clear conclusion in my own mind, and as far as those two churches which have been mentioned are concerned, as to the duty of a senator belonging to the Anglican or to the Catholic Church, that point has not been settled in my own mind to my absolute satisfaction. I have, since I have had a seat in this House, absolutely abstained from passing judgment on such questions, and even from discussing such matters, inasmuch as I was bound to abstain from voting one way or the other.

The amendment was rejected.

Hon. Mr. CLORAN—Will I be in order now in moving the adjournment of the House?

The SPEAKER—I think the strict rule is that after the question is put, no other motion can be put.

Hon. Mr. CLORAN—The amendment is disposed of.

The SPEAKER—A vote has been taken on the amendment, and the question is now on the adoption of the motion.

The motion to adopt the report was agreed to on a division.

JOHNSTON DIVORCE CASE.

MOTION.

Hon. Mr. KIRCHHOFFER moved concurrence in the report of the Standing Committee on Divorce to whom was referred the petition of Mary Hamilton Johnston.

Hon. Mr. CLORAN—With regard to this report, I have practically the same objection to its adoption as I took to that in the case which has just been decided. In the former case, notwithstanding what was said, I have nothing to withdraw and no reason to change any of the statements I made. I hope in this case when the hon. leader is giving his advice as to how evidence ought to be weighed, he will weigh it fully and impartially. It requires a certain amount of capacity to weigh evidence. I think I am a good weigher, and, therefore, I have capacity for it. The question of endeavouring to get evidence from witnesses has also been discussed in this House, and I might inform the hon. gentleman who raised the question, that he is altogether astray as to the obligation of the committee to put questions to a petitioner whether he or she has condoned the offence for which divorce is sought. The hon. gentleman who made the proposition, no doubt did so in good faith, but in absolute ignorance of the method of legal procedure. No attorney or person has a right to put a suggestive question to a witness. That is the foundation of British justice. When evidence is not given on a certain point, nobody has a right to put a question of that kind. I admit that the laws exact from the judicial bench the duty of putting a question to the petitioner if he or she condoned the offence if the offence had been proved; but there is no question of that kind here. I hope that that will be borne in mind, and that in the discussion of these matters we shall confine ourselves to the stand I have taken in this matter. I have been accused of hounding the committee. There is no ground for that statement. I have only attacked the decisions of the committee when I found, according to my knowledge of law, that the evidence adduced in a case was insufficient to justify the conclusion arrived at. I have never attacked the finding of the committee in a legitimate case under our constitution, and the leader of the opposition is altogether astray in his assumption that on account of my religious convictions I am opposed to divorce. These are assumptions on his part of a totally assumptive nature.

Hon. Mr. SPEAKER—Might I ask the hon. gentleman to speak to the question now before the House, and not refer to a previous debate.

Hon. Mr. CLORAN—I certainly shall. I have not mentioned any previous debate; I am talking on general lines of what the conduct of Senators should be in discussing such matters. I am asking hon. members not to impute to me motives which I am not influenced by. I will not find fault with the judgments of the committee that are based on sound evidence; but for the past three years I have undertaken to show to the House and country how divorce is become easy, not only in the courts of the country, but even in parliament, and because I have done so I do not want to be upbraided and denounced as an unreasonable man, led by religious convictions which have no bearing on the subject. I certainly shall not stand that. I allow my religious convictions to interfere in these matters in no wise. Now, in this case of Johnston, the principle which underlies the decision of the committee is one calculated to destroy the confidence of the people in our decisions. In the previous case, it was insufficiency of testimony, and every hon. member heard the senator from De Salaberry state that although he had only glanced at the evidence, he thought there was not sufficient to justify the conclusion. Now that was the former case. This case inaugurates a new system under which divorce can be granted. I will not go into the details, because when it suits the purpose of a senator to quote evidence he quotes what supports his case and leaves out the rest. The principle underlying this divorce case is that all a petitioner needs submit to secure a divorce is an admission made by the respondent. Now, is that a proper principle to consecrate here?—that all a petitioner has to do to secure a divorce is for a man to tell his wife that he has been out with an-

other woman, or that a woman may go home and tell her husband she was out with another man? Flirtations occur on a street car, and incidental things are brought out corroborative of the admission, and a divorce is granted. In this case, some years ago, the man admitted to his wife that he had been out with a lovely woman. She remembered that, and seven years later told the committee of her husband's admission. Her own father gave the respondent $500 to pay his expenses incurred in bringing a girl to Buffalo. We are, therefore, asked to grant a divorce. That is practically all the evidence. There is no doubt the respondent, a man in the employ of a large oil concern in Toronto, had a charming young stenographer to do his writing, and as the father of the petitioner said, she was a most voluptuous girl and tempted him; but there is no proof of wrong doing except his admission that he had been to Buffalo and Toronto. It was easy for the petitioner, if he had chosen to do so, to bring the registers of these hotels to show that the man had registered there, but not a particle of evidence is given further than I have mentioned, and we are up against a state of things that is simply disastrous. I quite agree with the hon. gentleman from De Salaberry that even a glance at the evidence is enough to make a man vote against the Bill. I am not minimizing the evidence; I am giving all the details. There is no evidence of crime. If you are going to grant divorces on such grounds, there will be few married families in this country. Is parliament getting crazy? If the principle is to be recognized, that insufficient testimony may be accepted as proof of an offence, and if simple admissions without corroborative proof of any description are to be taken, then I say the sooner divorce is taken from the committee and parliament, and put into the hands of judges the better. I quite agree with the hon. member from Kamloops that it is time for parliament to get rid of this divorce question and place it in the hands of a competent court where evidence will be weighed and sifted.

Hon. Mr. POWER—Do I understand the hon. gentleman to advocate the substitution of a court for this Senate?

Hon. Mr. CLORAN.

Hon. Mr KIRCHHOFFER—That is what he does.

Hon. Mr. CLORAN—I repeat what I have said.

Hon. Mr. POWER—The other day the hon. gentleman took a very different ground. He thought it was well we had not a divorce court.

Hon. Mr. CLORAN—It goes to prove that I am prepared to give fair play to the committee. The committee are doing the best they can, but they are incompetent, according to the members of the committee themselves, and if that should continue to be the condition of things in this House I am prepared to agree with the hon. member from Kamloops.

Hon. Mr. WILSON—I want to know whether you could change the manner of granting divorces without first changing the British North America Act?

Hon. Mr. CLORAN—Putting it in the hands of a court would necessitate as much of an agitation as the right to be independent or anything else.

Hon. Mr. WILSON—You would not then advocate the change?

Hon. Mr. CLORAN—If divorces are to be granted on insufficient evidence, that would be the only reason that would compel me to say this tribunal is unfit to try cases.

Hon. Mr. WILSON—Does not the Act of Confederation make it imperative that the granting of divorces should rest with the Dominion of Canada? We all feel that it would be unsafe to put it in the hands of the various provinces.

Hon. Mr. CLORAN—The hon. gentleman is perfectly right in his contention. I understand the difficulties in the way of changing the mode of trial, sending it from one tribunal to another. It would not be done for years and years, but when we meet the evil as it is now it is our duty to try and provide a remedy. I am not opposed to the work of the committee. Because I find fault with some of its decisions is no reason why I should be told I am eternally hounding them. It is only

when they are at fault that I condemn, and I must say to their credit that is very seldom. When I came here, active as the hon. member from British Columbia wanted me to be, I found fault with some of their judgments. All I am trying to do here is to protect the welfare of the people, and not to make divorce too easy. In the case of a man living in open adultery, I have nothing to say against divorcing him, but for an accidental, trivial fault why destroy the marriage relation? Why mar the record we have in Canada of being the whitest country on the face of the earth? As the hon. member from Halifax pointed out two or three weeks ago, our record in regard to divorce is one of the cleanest in the history of the human race, and why should we allow even one case to pass which would minimize that record? I hope the members of the committee will not think I am opposed to all their proceedings; but surely the leader of the opposition and the chairman of the committee will allow me the privilege of checking over the doings of the committee. What are we here for except to check the doings of committees. I am not here to destroy their usefulness, but when I find they are at fault they should not upbraid me with trying to impede the public business because of my religious convictions. The leader of the opposition is astray; I am as broad as he is, or broader, in matters of this kind, and just as true to the constitution as he is. I have no interest in Mr. or Mrs. Johnston. I have an interest in the principle on which we are asked to grant divorce.

Hon. Mr. POWER—The hon. gentleman has described himself as approaching these questions in a judicial spirit. It is wonderful how one may misapprehend his own mental attitude. He reminds me a good deal of the Scot who said 'I am open to conviction, but I would like to see the man that would convince me.' That is his attitude. I looked over the evidence in the two cases that have been before us to-day. I did not feel that, if I had been a member of the committee dealing with the Stapleton case, I was perfectly sure I should have voted with the majority of the committee, but I thought that the committee on the whole were in a better position to judge than I was. But with respect to the present case, my feeling is different. I think that there is no reasonable ground whatever for supposing that the committee's decision was not perfectly in accordance with the evidence. I think the hon. gentleman from Centre Victoria division labours under a serious misapprehension. He professes to be a great enemy of divorce. Now it is perfectly clear, and it has been made clear on more than one occasion, and is a matter of complaint with a good many people in this country, that while divorce is confined to parliament the number of divorces will be very much less than if courts are created. Now the hon. gentleman is doing all he can to bring about the substitution of a court for parliamentary divorce. He is apparently anxious to make the lives of the members of the divorce committee burdensome, to make them disgusted with the reception their work receives. We cannot abolish divorce in this country. Divorce will go on, and the question is whether we are to have divorces granted by parliament or by courts. I say that within five years, if you substitute a court for parliament, you will have ten times as many divorces as we have now. It just shows how a lack of judgment will often lead a well-meaning gentleman astray, and that in the attacks the hon. gentleman has made on the committee and their reports he is doing the best work that any one has done to bring about the creation of a divorce court. I think he had better sit down in the quietude of his own chamber and consider this thing a bit, and not attack the findings of the committee unless the findings are evidently contrary to the evidence. The leader of the opposition was perfectly justified in making the claim for the committee that they have placed the members of this House under a very great obligation. In old times there was no one committee of divorce; a committee was struck for each case, and the result was that the work was distributed over the greater part of the House. It was, to my mind, a great improvement on the procedure when the present system was adopted of having a standing committee on divorce. Take this session—there are at least thirty cases, and

as the leader of the opposition said, the whole of the parliamentary time of the members of that committee is practically absorbed by this divorce committee, a most disagreeable and objectionable work to any one who is gifted with fine feelings, or who is not filled with prurient curiosity. Instead of apparently making every effort to pick some flaw in the work of the committee, unless it appears on the face of the evidence that the committee have been clearly wrong, we should accept their findings. We should show some courtesy to the members of the committee. Every senator is entitled to reasonable courtesy from his fellow members, and the members of the committee, who do so much and such unpleasant work on behalf of the whole House, are entitled to the utmost courtesy and consideration from their fellow members. I hope that the hon. gentleman from Victoria will not persist in making at any rate rather extreme and not well-founded attacks on the work of the committee.

The motion was agreed to on a division.

SECOND READING.

Bill (W) An Act to correct a clerical error in the French version of chap. 142 of the statutes of 1910.—Hon. Mr. Béique.

REVILLON FRERES TRADING COMPANY BILL.

SECOND READING.

Hon. Mr. BEIQUE moved the second reading of Bill (U) An Act to incorporate Revillon Frères Trading Company, Limited.

Hon. Mr. LOUGHEED—There seems to be an objectionable feature in this Bill in not repealing the special Act of 1898, but simply extending it to this Bill.

Hon. Mr. BEIQUE—It is repealed.

Hon. Mr. LOUGHEED—It would be better to repeal all the former legislation.

Hon. Mr. BEIQUE—The powers which the company desire to conserve are repeated in this Bill. I told the lawyer of the company promoters that he had better do that, and he acquiesced. The Bill was printed, and when I saw it and was asked to take charge of it, I took exception to several features of the Bill, and advised them to change it, and I introduced it in a new form. There will be a clause or two to which I shall take exception.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (No. 92) An Act respecting the Alberta Central Railway Company.—Hon. Mr. Talbot.

Bill No. (99) An Act to incorporate the Niagara Welland & Lake Erie Railway Company.—Hon. Mr. Gibson.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, February 23, 1911,

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

QUEBEC BATTLEFIELDS COMMEMORATION MEDALS.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a statement showing the number of gold, silver and bronze medals, which the Quebec Battlefields Commission has caused to be struck in commemoration of the three hundredth anniversary of the foundation of the city of Quebec, the cost of each of these series of medals, the names of the persons to whom, on the institutions to which, gold medals, silver medals, and bronze medals have been given.

The motion was agreed to.

QUARANTINING OF SAID GOTLIEB.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the Senate do issue to cause to be laid upon its table a copy of all the documents relating to the case of cholera reported in November last as to the Russian Said Gotlieb, to the quarantining of this person, and to his detention until this date

on Grosse Isle, with a history of the case, day by day, up to this date.

The motion was agreed to.

BILLS INTRODUCED.

Bill (Z) An Act to incorporate the Canadian Surety Company.—Hon. Sir Richard Scott.

Bill (A 1) An Act to incorporate the Restigouche Riparian Association.

A QUESTION OF PRIVILEGE.

Hon. Mr. CLORAN—Before the orders of the day are called, I find it necessary to call the attention of the honourable House to the fact that the report of yesterday's proceedings is somewhat incomplete. The most important and the most weighty part of the speech of the hon. chairman of the Divorce Committee is not reproduced in the Debates, and, of course, as I had to answer him, I find that my speech following his remarks would have very little bearing on the subject which is broached, and would not be intelligible to any ordinary reader. As I understand, it left the official reporter in a quandary as to what the reference meant. I went to headquarters and have ascertained it is not the fault of our staff reporting the debates. I had the stenographer who took the report read his notes, and I found that they were a verbatim report of the remarks of the chairman of the Divorce Committee, the hon. gentleman from Brandon. I asked him why he did not put them in. He said there was a mistake, that the hon. chairman of the Divorce Committee had handed him the notes of his speech and probably one of the pages containing these remarks was missing. The explanation was quite satisfactory to me, especially after hearing the shorthand notes read by the stenographer himself, and I can vouch for the fact that they are verbatim and perfectly correct. When I ascertained that the report was to be supplemented, I asked by whom—by you? (the stenographer), or by the senator from Brandon himself? The missing portion, two pages in writing, were handed to the reporter. I have gone over them, and I must say that the supplementary report is a padded one, and is not in line with what the hon. gentleman stated yesterday. I ask the hon. chairman of the Debates Committee not to allow the revised report to be printed until it is put in proper shape. I understand from the reporter's staff that there is no hurry for the revise at the Printing Bureau, as they have a large amount of work ahead. There is another point I ascertained also, in going over the record, that a very interesting reference to myself is eliminated, a very interesting reference, and which explains the reason for my remarks following him yesterday. I do not think it is fair to eliminate what is eulogistic and to pad what is sneering and insulting, and such I consider to be his remark yesterday in regard to myself or my family name.

He was willing to pad that—to amplify it, I do not say he has changed the meaning of it, but where there is a eulogy on my name he finds it too good to let it remain on the record. I call the attention of the chairman of the Debates Committee to the fact, and ask him to see that the report be corrected. I am not ashamed to have what I say here go before the country. I never undertake to correct the debates except where there is an ungrammatical expression, and there are mighty few of them. I give credit for that not to myself but to the intelligent and able reporting staff. I know their intelligence and capacity, and I know that the report they made yesterday was perfectly correct, while the supplementary report furnished by the chairman of the Divorce Committee is not correct.

Hon. Mr. COFFEY—The hon. gentleman asks me to interfere in this matter. Hon. gentlemen will agree with me that it is a very delicate question. We all know that senators have a certain amount of latitude in the correction of their proofs; they have been given the liberty to add or eliminate. I can promise the hon. gentleman however, that I shall make inquiry into the matter and see the extent of my duty in regard to the report of yesterday's proceedings. If both parties give me permission, I shall be very glad to revise both speeches.

Hon. Mr. CLORAN—Mine can not stand revision. It must go as delivered.

THE REVISED EDITION OF THE DEBATES.

Hon. Mr. LANDRY—Before the orders of the day are called, I would ask the chairman of the Debates Committee if he has any tidings of the revised edition of the 'Debates.' We were told some time ago that the French speech delivered at the opening of the session was the cause of the delay. I understand that obstacle has been removed. The speech has been translated, and I am told by the reporters that the translation has been admirably done. I suppose the better the translation the longer we have to wait. I hope that when we return on the 8th of March we shall have the whole of the revised edition to date, so that we can go on with the other business, especially the translating into French of that part of the Debates.

Hon. Mr. COFFEY—I am very glad to be able to say that I have good news for my hon. friend. The speech of Senator Belcourt has been, by the courtesy and kindness of Mr. Lelievre, a member of our staff, translated from French into English, and the printers are now making all speed to give us the revised edition.

BILL INTRODUCED.

Bill (77) An Act respecting the National Weekly Indemnity Company, and to change its name to the Merchants and Employers Guarantee and Accident Company.—Hon. Mr. David.

LONDON AND NORTH WESTERN RAILWAY COMPANY BILL.

THIRD READING.

The order of the day being called—Third reading Bill (57) An Act respecting the London and North Western Railway Company.

Hon. Mr. COFFEY moved that the Bill be not now read the third time, but that it be amended by adding to it the following as clause 2:

2. The name of the said company is hereby changed to "The London and North Western Railway Company of Canada;" but such change in name shall not in any way impair, alter or affect any right, obligation, or liability of the company, nor in any wise affect any suit or proceeding now pending, or judgment existing either by, or in favour of, or against the company; and any such suit, proceeding or judgment may be prosecuted, continued or enforced, notwithstanding such change of name, as if this Act had not been passed.

Hon. Mr. WILSON—Is the changing of the title and the subsequent statement in this amendment for the purpose of covering up some litigation or some transaction that may have taken place by the company prior to this time? We did not have an explanation from the hon. gentleman who moved the second reading, and this amendment, if incorporated in the Bill, might materially alter the whole nature of the measure. I am anxious to know whether such is the case.

Hon. Mr. COFFEY—The only reason for the change is, the title as it existed before might cause some embarrassment for the reason that a railway of exactly the same name now exists in England, and if this company were to float bonds in the English market, two railway companies having the same name might cause a great deal of trouble. For that reason we have added the words 'of Canada' to the title.

The motion was agreed to, and the Bill as amended was read the third time and passed.

GRAIN BILL.

SECOND READING.

The order of the day being called:

Resuming the adjourned debate on the motion for the second reading (Bill Q) An Act respecting Grain.

Hon. Mr. LOUGHEED—In moving the adjournment of the debate on this Bill, it certainly was not with the object of delivering any set speech on the subject. In looking over the Bill, I find it is very largely a revision of the present Act which appears upon the statute-book, adding thereto provisons for the appointment of a commission on the same lines as the commission that administers the railway affairs of the Dominion. There is no doubt that the government of Canada has paid a very great deal of attention in establishing an efficient system of inspection, so that the standards of our grain might be maintain-

ed, and the frauds which are, I was going to say, usually incident to a large business of this kind, suppressed. The system of inspection up to the present time has not been satisfactory. A revision of the present legislation as embodied in the Bill before us, without the additional machinery which has been introduced into this Bill would probably be as inefficient as hitherto. I was particularly struck by an article which appeared in the 'Canadian Magazine' of January last, which voiced to some extent the opinions of the farmers in the Northwest as to the administration of the inspection system in dealing with terminal elevators. This writer has said:

> In the terminal elevators the elevator companies which operate them have a system by which they can still further manipulate the grain to their immense profit. Grain can be mixed in the terminal elevators so that a little high grade wheat mixed with a lot of low grade will raise the whole to high grade and thus advance the price several cents a bushel. This is strictly against the law, and the Dominion government have seventy inspectors and other employees watching the terminal elevators and checking their business to prevent such practices. But an army of inspectors could not stop it. Last spring the inspectors weighed all the grain in the elevators and discovered that the companies had been manipulating the wheat so that they had made about $40,000 in three months. There is good reason to believe that the elevator companies have made millions of dollars by this means in years past. This time they were caught and fined $5,500. Of course, all this plunder comes out of the pockets of the farmer and gives the Canadian wheat a black eye on the Liverpool market, which is the world's ruling wheat market.

It is therefore a matter of regret that the system of inspection which has been in operation up to the present time has apparently not been as effective as has been the policy of the Act to make it. It is therefore high time, if frauds of this kind are being perpetrated on the public at the expense of the farmers, and to the prejudice of the reputation of our wheat in the Liverpool market, that such frauds should be stopped by legislation or otherwise. It would seem to me that frauds of this kind could scarcely be carried on as successfully as reported, if there had been a proper administration of the law. I do not profess to be very familiar with the operation of the Act, and of the duties cast upon the government officials in administering the Act, but it is a matter of national regret that a large industry of this kind, with an army of inspectors appointed to administer the law, can be subject to such frauds as those that have been outlined in the article to which I have alluded, and I think to a large extent established in the report of the Grain Commission. I need not dwell to any extent upon the absolute necessity in the public interest of Canada maintaining our grain standards in the markets of the world.

Hon. Mr. KIRCHHOFFER—Hear, hear.

Hon. Mr. LOUGHEED—Canada not only enjoys a continental reputation, but I might say, a reputation in the markets of the entire world, with reference to the superiority of its grain. The standardization of that grain has received special attention at the hands of the government, and, of course, the government of the day is very largely responsible for the maintenance of those standards. It does not matter what legislation may be enacted for the purpose of maintaining standards, if there is not a proper administration of the law.—that is to say if the officers of the Crown charged with administering the law are in any way lax in their duty, so as to permit gigantic frauds such as have been perpetrated. The Bill, I notice, is somewhat of a paternal character. That is to say, the sympathy of the government has been enlisted on behalf of the farmer, and it is proposed that a commission should be appointed, that the terminal elevators should practically be taken out of the hands of the companies who have been operating them, and that the entire service should pass into the hands of the government, and under government supervision. While that is paternal, and while paternal legislation does not entirely appeal to my mind, yet in view of the facts which have been established, not only by the commission which made a very lengthy inquiry and investigation into this matter, but on account of the public sentiment which largely exists against the present administration of the elevator system, I think on the whole the policy introduced by the government and incorporated into this Bill is a salutary one, and certainly should receive the support of this Chamber. The farmer, however, is not as helpless an in-

dividual as the press and the farmer himself would be disposed to make us believe.

Hon. Mr. DERBYSHIRE—Hear, hear.

Hon. Mr. LOUGHEED—I was very much interested in reading some statistics given in a recent article in one of the Canadian magazines respecting the growth and successful development of a company consisting entirely of farmers, incorporated to handle grain. In 1906, many of the farmers of the Northwest, suffering from the difficulties to which I have alluded, conceived the idea of forming what is to-day known as the Grain Growers Grain Company. In the summer of 1907 that company, which then had a capital of about $46,000, handled two and a half million bushels of grain. In the summer of 1908 they really got under way, and they handled five million bushels of grain. They had a capitalization of about $73,000, and they cleared up in profits somewhat over $30,000, or made 40 per cent. upon the investment into which they had gone.

Hon. Mr. MACDONALD (British Columbia)—Is that company holding elevators?

Hon. Mr. LOUGHEED—This is not an elevator company, the company simply handles the farmers' grain. In 1909, the following year, they handled 7,500,000 bushels. They had a capitalization of about $189,000, and cleared up in profits no less than $54,000, about 30 per cent. In 1910 they handled 16,000,000 bushels of grain, and on a capitalization of $293,000 declared profits of over $95,000, nearly 35 per cent. It is estimated that in 1910 this company handled no less than $20,000,000 worth of grain, and to-day is, as I understand, the largest and most formidable company doing a grain business in the west.

Hon. Mr. MACDONALD—Is that company robbing the farmer?

Hon. Mr. LOUGHEED—If so, it would be the farmers robbing themselves, which I think possibly would not command the same degree of public sympathy, as some outsiders robbing the farming element of the community. I point out this fact to establish that the farmer has reached that stage when he is very well qualified to look after himself.

Mr. POWER—Hear, hear.

Hon. Mr. LOUGHEED—And possibly to handle his resources as advantageously, if not more so, than other companies, or even the government itself could do. However the sympathy of the government seems to have been further evoked to protect the farmer, with the result that we have this Bill before us. I hope that the commission for which this Bill makes provision will be an efficient one. I would almost venture to ask the government that the appointments to the commission should not be made on political grounds or for political considerations, that its personnel should appeal to the entire community. It will certainly be vested with very large powers, probably powers larger than those with which the Railway Board is vested. It gives to this commission power to acquire, and in fact build terminal elevators. As I understand the policy of the government at the present time is not to enter upon the construction of new terminal elevators, but to take possession and control of the present terminal elevators. If it be found necessary at other points throughout the Dominion to establish terminal elevators, which must necessarily involve a very large expenditure of money, this commission will be vested with power to enter upon undertakings of that character. I am not aware what the policy of the government is with reference to making this commission self-supporting, but it seems to me—

Rt. Hon. Sir RICHARD CARTWRIGHT—I may just mention to my hon. friend that it will be self-supporting.

Hon. Mr. LOUGHEED—I am very glad to hear it, because there is no good reason why the other portions of the community should be saddled with the expense of maintaining expensive machinery of this kind to promote an industry which is manifestly prosperous in itself. There seems to be to my mind a difficulty in the passage of this Bill at the present time

owing to the reciprocity arrangements which are now being discussed in the House of Commons, and on which the government is about to enter with the neighbouring republic. This Bill has undoubtedly been framed with the view to the continuance of the present conditions, and to make those conditions as effective in the matter of inspection and the standardization of grain as possible. But since this Bill was framed, it must be apparent to every hon. gentleman in this Chamber that a new condition of affairs has arisen which will dislocate the trade under our present elevator system and our grain trade generally. As hon. gentlemen know, our terminal elevators are at Canadian ports, chiefly at Fort William and Port Arthur. Free trade in wheat will certainly result in the routeing of our grain from Canadian ports to American ports. I venture to say that a very large proportion of our Canadian grain will, if reciprocity goes into operation, be routed from western points in Canada to Minneapolis, St. Paul, Duluth, and probably shipped from Duluth, to not only ports within our own country, but to United States ports. All the efforts and energy of the government at present are directed towards reforming the Canadian elevator system at Canadian ports. Up to the present time, all our grain, speaking generally, has gone through those particular gateways to which I have alluded and within our own boundaries. But I may ask the question, if we have free trade in wheat how will the government enforce the standardization of our wheat passing into United States territory without going through terminal elevators and without in any way coming under the control or jurisdiction of Dominion authority?

There is no doubt in my mind that reciprocity arrangements with the United States will result in United States buyers coming into our territory, purchasing wheat and shipping it direct to United States points. The Bill is therefore, in my judgment, premature until we decide what is to be the policy of Canada upon the question of reciprocity. Until that is decided, this Bill will certainly fail to deal with a subject whch is of vast importance, and will assume larger magnitude than the Bill anticipates. That is to say we are today providing most elaborate machinery for the inspection, standardization and elevation of our grain at Canadian ports. If the result of free trade should be to divert our wheat to United States territory, then we are providing machinery for only a small proportion of our grain, without any provision as to what attitude the government will take towards maintaining the standardization of grain on the international boundary. Whether that can be done or not, whether it would be wise to establish elevators on the boundary line, I cannot say, but it is manifest to my mind that the most of our wheat must pass through United States channels and be ground in the United States mills.

Hon. Mr. WATSON—Why?

Hon. Mr. LOUGHEED—Because of the facilities which exist in the United States for the carrying on of that industry. I remember not later than two years ago my hon. friend from Portage la Prairie made the statement in one of our committees that the time would arrive when the United States millers would grind all the wheat of Canada, and when the mills of this country would almost cease to be in active operation.

Hon. Mr. WATSON—I stated that in a very few years the United States would take the duty off wheat.

Hon. Mr. LOUGHEED—And then the hon. gentleman said United States millers would have the monopoly of grinding our wheat.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend will notice that the commission will have power to make terminal elevators at any point of exit from Canada.

Hon. Mr. LOUGHEED—I have already alluded to that. I have noticed the authority which is given to the commission to enter upon undertakings of that nature; but the question which presents itself to my mind is whether the building of terminal elevators on the boundary line will meet the difficulty I have pointed out.

These ideas have occurred to me in going casually over the Bill, and I mention them now. I am very much in sympathy with the policy of the Bill, and hope that in its operation it will give the greatest satisfaction to the farmers and the public of the west.

Hon. Sir MACKENZIE BOWELL—I should like to ask those who are better acquainted with the subject than I am, how it is that the farmer can be a loser to the extent which has been pointed out? I can understand that a merchant may purchase one hundred thousand bushels of No. 1 hard and two hundred thousand bushels of No. 2 for the purpose of mixing; but he would have to pay the farmers from whom he bought the grain the market prices. I can understand that the merchant might ship that grain to England or some other outside market and palm it off as No. 1 and make a profit; but I cannot see how the farmer could lose. My hon. friends from the Northwest who have studied the question may be able to explain this point so that we can appreciate this cry that the farmers are being robbed.

Hon. Mr. WATSON—I am afraid the question is much easier asked than answered. The hon. gentleman from Calgary has just pointed out that western farmers have made an immense amount of money in the short space of two or three years, and they are all honest. I do not know if this is the proper time or occasion for discussing reciprocity with the United States. For years past I have thought that the United States would take the duty off wheat to blend our grain with their softer wheat. For fear any person should think that I disagree with what is proposed in the other House, and is now under discussion there, I think the arrangement is one of the best things ever proposed for the west, and the fears expressed by the hon. gentleman from Calgary are groundless. The United States can take the duty off wheat any time they choose, and at the present our wheat can be exported in bond through the United States, so those two features of the question can be taken out of the discussion altogether.

Hon. Mr. LOUGHEED.

Hon. Mr. LANDRY—Who is the party that expressed a fear that we would disagree with the parties on the other side?

Hon. Mr. WATSON—The leader of the opposition said that I expressed the opinion that our wheat would go to the United States.

Hon. Mr. DOUGLAS—I have given some time and careful study to this Bill, and have come to the conclusion that it is deserving of our confidence and is in the interests of all parties concerned. The handling of grain seems to some, to be a mystery, and I do not wonder. It has been a very profitable business, and hence it has induced a number of people already in good lines in which they were making money, to give up their business and enter the grain trade with the prospect of carrying it on as it has been conducted for nearly a quarter of a century. This business of mixing grains is at the bottom of the whole trouble. How the money is made is easy to explain. A grain merchant who has been long in the business told me: 'There is no use arguing the matter; we have too many grades to handle'. Through the different grades, wheat which has been depreciated from dampness or smut or other causes furnished the way to make money. A member of the grain exchange in Montreal said two or three years ago that when grain is all of first quality they could not make money. 'But,' he said, 'when we hear that there has been frost in the west, or weather which damages the grain, then we throw our hats in the air and can make money.' The money is made by a process of manipulation. A merchant may have a certain quantity of first quality grain, perhaps better quality than it is reported to be. We do not hear anything of this. It is all No. 1 hard, but it is spoken of as No. 1 Northern. The Grain Exchange, whether by mutual agreement or otherwise I cannot say, throughout the country districts, make it a point to buy the grain from the farmer at a grade lower than it ought to receive. In consequence, they make ten cents a bushel on the value of the wheat. They keep that from the farmer as a margin to make it safe when they are handling it.

Hon. Sir MACKENZIE BOWELL—That would be the result of false inspection.

Hon. Mr. DOUGLAS—Of false dealing with the people. It may not have been inspected by government inspectors. We have a government inspector who is above reproach—I think we can say that with all feeling—but there are people, and there always will be people, who do not look sharply enough after their own business and accept the grade offered them when they sell their loads of grain. They sell it subject to the inspection made by the agent at their own town, or subject to government inspection at Winnipeg, or at the head of the lakes. In that way, the same agent may buy other grades of grain ranging perhaps away down to 35 cents a bushel, and by the time he has done the mixing, and the polishing with lime and sulphur of the lower grades, and dried that which is damp, he gets it into such a state that he can put so much of a grade that perhaps has only cost him 40 or 50 cents, with a better grade and make a profit. He blends the wheat as men in the grocery business blend tea, and if the blend comes up to the government standard the dealer thinks he has done his duty, and he has made probably 50 per cent on his work. The difficulty is to correct this. Some say it is a legitimate business. I say it is a nefarious business. It is a fraud on the public. But they argue it is good for the farmer. He can sell grain for 35 cents in the market which perhaps he could not sell at any price otherwise. It would have been better to feed it to his hogs, but he sells it to the merchant and in this way gives him an opportunity to blend the wheat and make money. The difficulty is that the grain that is sent forward as No. 1 carries with it all the infirmities of the grades that have been mixed with No. 1 hard, and if it is sold as No. 1 hard when it is blended with inferior grain, there has been too little given for it in the country, and the farmer suffers to begin with. Then, again, every time high standard wheat is blended with a lower grade he is robbing the public and the consuming public by introducing a lower grade that is worth less money into the higher grade, so that it cannot be called an honest business. You cannot put in diseased grain with pure, perfect grain fit for the market and say that it is worth as much money as if it had never been blended. This is the way in which our grain suffers in the Liverpool markets, or in any of the home markets. When it gets into the hands of experienced merchants, they know as well, perhaps better on account of their knowledge of chemistry, and the various devices they have for examining into the nature of the grain before they make an offer as to the price, and they find out that it is worth so and so to the miller. Then, again, a blend of this wheat is worth so-and-so to the baker. The baker knows the amount of moisture it is capable of absorbing, and he will give more money for flour that will absorb a large amount of moisture, because the moisture is sold at the same rate as flour, so that in this way there is a wrong inflicted at home and abroad. The fraud that is thus practiced on the foreign buyer comes back again to the farmer, and the consumer will not give the same amount of money for grain if it has thus been manipulated, as he would had the clean, pure article as it came from the farmers, been sold. Perhaps there are some who would not quite agree with me in some of these particulars, because they say the blended grain looks just as good as the other after it has been handled in that particular way, and why have they not the right to handle their own grain as they please. I understand that since the introduction of this Bill, hints have been thrown out in Winnipeg and elsewhere that a move will be made to have this mixing of grain made a legal business. It is possible that an attempt will be made in that direction? I do not think we ought to modify the Bill in view of the possibility of the reciprocity treaty being carried. It is for us to deal with the question as it is now before us in the House, and if it is found that reciprocity becomes a fact, changes may be necessary; but I am satisfied that the powers given to this commission will largely cover the whole ground for the time being. Whether this measure will prove a great success or a failure will depend entirely upon the integrity and ability of the men the government may appoint to office. It is

a very great responsibility for any government to hand over such a large amount of money to be handled and supervised, and its sale and character maintained and secured. I am very solicitous about the parties that may be appointed as commissioners. The government claims the right to appoint the chief commissioner, which, I think, is only reasonable and fair, and two others are still to be appointed. I would not like to see both of these, men who have been grain growers or dealers in grain. I would rather have good, clear-headed business men, with integrity of character, men who can neither be bought nor sold, and whose yea is yea and nay is nay. It would not be saying too much, that if we have a first-class legal man on that commission it would be a great help, because the commission will have many legal difficulties and perplexities to encounter, and a man skilled in the law, who could give wise counsel and make a study of the whole matter, would be useful. The new part of this Bill takes good care to keep out of this commission entirely any man who has business connections with the grain trade, so that they would be men of weight and responsibility, and the penalties that will be imposed and the oaths they will be required to take ought to secure a class of men beyond reproach. I am in full accord with the very excellent argument of the right hon. leader of this House the other day, as to whether there was need for such a commission and for such a change in the whole management of the grain trade. It is not at all necessary that I should present reasons why this Bill should be enacted. Cases have been proved against the grain trade, beyond all dispute. It has been proved that they made false returns, deceiving the government, that large amounts of grain had been pilfered and lost and that the public were being robbed. If the preamble of the Bill receives the support of parliament, I think it will guard very efficiently against the difficulties that have become apparent under the late investigation by the government. When this Bill is going through the committee, we will have opportunities to make any remarks on its provisions which may be needful. It is not necessary that we should go into the details now, or bother about reciprocity until the whole thing is settled, and we can meet any emergencies that may arise under reciprocity when the time comes. With reference to our wheat going into the United States, I may inform the House that four or five years ago, when the Canadian Pacific railway built their main branch to Saskatoon and Edmonton, United States buyers appeared on the scene as soon as the rails were laid and began to put up their elevators, and at every railway station they had their buildings and were ready to purchase our wheat and give good prices. They took the grain to Minneapolis and St. Paul and paid the duty that was then imposed upon it. This has been going on. They have been treating the people well, and we have no fault to find, so that in this case there is no ground for alarm. Ever since the Bill of 1900 became law, we have shipped our own grain, not through the elevators, but over the grain platforms provided on all the different branches, and have found it to be an advantage of anywhere from 7 to 9 cents a bushel. That has been our profit by selling our grain in car lots to commission merchants at the head of the lakes. It seems, however, that this way to the ordinary farmer is somewhat complicated. Not being used to business methods, many go on in the old way selling grain locally. We are glad to see that the enterprising farmers who load their own grain and send it forward to the head of the lakes and have it weighed by the government weighmasters and inspected by the government inspector, have made a very decided improvement in the handling of our products. I am heartily in accord with the Bill as it now stands. Whoever prepared the first part of the Bill did it very carefully. It may be that certain minor changes will be required in what follows, but all this will come up when the Bill is in committee.

Hon. Sir MACKENZIE BOWELL—Is the wheat which is sold in any town between Winnipeg and Calgary inspected by a government inspector? I understand there are no government inspectors there.

Hon. Mr. DOUGLAS—The interior elevators have inspectors appointed by the Grain Board.

Hon. Sir MACKENZIE BOWELL—Is that government inspection?

Hon. Mr. DOUGLAS—They have a Grain Board of Examiners. A young man may pass an examination and, if found qualified, can be employed under the board.

Hon. Mr. MACDONALD (British Columbia)—Seeing that so much depends on rigid inspection of grain, I would suggest to the right hon. gentleman who leads the House, that every inspector should be placed under bonds to perform his duty faithfully and honestly. We can see all round us people robbing the public and robbing the government, and this is a matter of such importance that it would not be asking too much of an inspector, who is well paid, that he shall give a guarantee for his conduct in the discharge of his duties. There is one matter I do not approve of, and that is that the government should expropriate any elevators or works of that kind in the hands of a company. It cripples private industry. It takes away the stimulus to men who put their money into enterprises if the government is ready to take them over at the instance, perhaps, of a few clamorous people. Private companies carry on their work more economically and efficiently than the government can, and I think the government should not interfere with private enterprise, but should insist upon rigid inspection.

Hon. Mr. YOUNG—I have no desire, at this stage of the Bill to enter into a discussion of its merits, but some remarks were made this afternoon which require explanation to prevent a wrong impression being made on the subject. It seems unfortunate that the grain handling of this country is supposed to be a target for anybody to fire charges at, and when we hear a western man repeat some of those charges, naturally those who are not familiar with the subject feel that there must be a great deal in those various statements, or else they would be answered by those who do not see eye to eye with the gentlemen who make these remarks. My hon. friend from Saskatchewan, a resident of the Northwest, familiar as he should be with the quality of a great deal of the grain handled, makes some statements that I am sure on reflection he would modify considerably if he took the trouble to look into the circumstances and conditions that surround the trade. This Bill is a very important one, one which we shall have to consider carefully, invading as it does the whole grain trade of the country, and we know that any Act hampering, or any legislation which will make grain more expensive to be handled naturally will revert on the producer, and will result in injury to the trade of Canada. Therefore we have to consider the Bill very carefully and see that the provisions are such as will not interfere with trade in any degree that possibly can be avoided. We are invading private business by legislation, protecting the rights of the producer who has the first claim on our attention, and who deserves the first consideration. The dealers can take care of themselves.

Hon. Mr. DAVIS—And take care of the other fellow if they get a chance.

Hon. Mr. YOUNG—Judging from some of the remarks of my hon. friend on the other side they cannot not only take care of themselves but they can take care of a great many others as well. The opportunities that are given to those who are producing grain are so varied and so extensive that it appears to me to be a very difficult task to put an unfair price on grain when the producer has so many avenues of escape. It would not be very good immigration literature to say, as my hon. friend has suggested just now, that a farmer in the west has to contribute a ten cent margin to the dealer in the handling of his wheat, and he draws a picture of the method of handling by sandpapering and sulphuring and brimstone, and one thing and another, and then passing the inferior grades of wheat into the markets of the world, and disposing of it at a high price. I want to tell him that no grain treated in that way can get a grade from any of our inspectors. It is defamed at once, and you cannot treat such grain in a way that it will not be detected, and that fantastic fairy tale will not go down with any rea-

sonable man, because if there was a ten cent margin on any market in the west, the farmer has nothing to do but to take his grain to Fort William. The door is open to him to do it. The law is that, in shipping grain, the farmer stands on a parity with even the big elevator companies. He gets car for car with them. He is not handicapped in the obtaining of the cars. He loads his grain and ships it to the terminal elevator, and whatever the inspector grades it, gives him its standard in the markets of the world, and he can sell on that certificate and bill of lading wherever he likes, so that it is impossible to corner a man in the Northwest provinces any more than in the east, and compel him to take an unfair price for his grain. Leaving aside the competition that exists in the market, of buyers with different interests—I am speaking more particularly of the milling and export industries, the Ogilvies, the Lake of the Woods and other large concerns, buying practically in every market of the world and country place in the Northwest, exporters also have their buyers there, and are collecting the grain, and I think the time has gone by when that statement can be made successfully that an undue advantage is taken of the farmer when he has all those facilities to handle and sell his own grain and get the highest price, less, a commission for the handling to the people, shipping, and the law protects him in this. The law gives him the same privileges as the elevator company and there is no use in picturing to the world that if a farmer lives in the Northwest country he has to pay tribute to the middleman or dealer when the door is wide open to him. My hon. friend also mentions that wheat was shipped to the United States years ago and the duty paid on it, and that there would be a still further shipment when the duty was removed. My recollection is that at the time he referred to a privilege was allowed to the millers to grind and mill their wheat in bond at different parts of the States. At that time a certain amount of wheat went over, but what the effect will be with the bars down I am not in a position to say and do not propose to discuss at the present moment. The appointment of a commission, for which this Bill provides, and which is practically the new feature of the Bill, the old inspection Act and the former Manitoba Grain Act being merely re-enacted, seems to me to be a necessity from the extraordinary growth of the grain business which has taken place within the last few years. My hon. friend the Minister of Trade and Commerce may be so vigilant and ever so attentive to his duties, as no doubt he is, yet we can readily see with this enormous business growing as it is, and so many other matters to attend to, that it is wise in the interest not only of the producer, but of the business man connected with the trade, that there should be a board having powers, something similar to those of our Railway Commission, to govern and arrange all matters in connection with the grain trade, and be nearer to the business than the department here at Ottawa. In the appointment of the board, I agree with the hon. gentlemen who have spoken, that the very highest class of men should be selected for the position, and that extraordinary powers can safely be given provided we have a good board to deal promptly with all matters and disputes that may arise in connection with the handling of the grain in the west. In so far as the elevators are concerned, my hon. friend the Minister of Trade and Commerce has at all times met the suggestions of the producers, especially in regard to the regulations and government of the terminal elevators; in fact the powers taken under the Act practically makes the government the owners of all the terminal elevators at Fort William, and the board which will step in, if this Act is passed, will take their place. Fort William is but one link in the chain of transportation, and it strikes me that if it is necessary and important that supervision of the grain trade should be had at Fort William and Port Arthur, it is equally important and necessary that that same supervision should follow the grain clean through to the seaboard.

Hon. Mr. DAVIS—Montreal.

Hon. Mr. YOUNG—To Montreal in summer, and the other ports in winter, where it is shipped, because if any deterioration arises after the grain leaves Fort William, it must be just as serious as if it had

occurred at a point further west. Fort William is practically the centre. You have watched one link in the chain and left the others unguarded, which seems to me to be a policy——

Rt. Hon. Sir RICHARD CARTWRIGHT —Power is taken in that respect.

Hon. Mr. YOUNG—Power is taken under the present system and it is a step in the right direction. I said the Department of Trade and Commerce had upon all occasions adopted every reasonable suggestion made to them by the farmer in the production and marketing of his grain. The government has even gone further and adopted certain precautions last year, with a view of checking any irregularity that might arise in the terminal elevator at Fort William, and I fancy that the precaution they have taken lately is a very effective one. However, all these precautions will be there for the board to make use of should this Bill become law. There are one or two clauses in this Bill which may require careful consideration when we are considering it in the Committee of the Whole, and there are a good many phases that can be discussed and with regard to which I perhaps will trespass on the good nature of hon. members when in committee, but I thought it hardly fair to let those statements go unchallenged and I think my hon. friend, on reflection, will feel that possibly he was uncharitable to some of his friends in the Northwest.

Hon. Mr. DOUGLAS—I will call the attention of the House to the remarks of the hon. leader last week, when he said that as far as the country is concerned there was a loss of over half a million bushels of grain en route. Surely there is a big margin when grain was pilfered to that extent, and this pilfering has gone on——

Rt. Hon. Sir RICHARD CARTWRIGHT —I stated that a certain quantity of first-class wheat had been exported more than had gone into the elevators.

Hon. Mr. DOUGLAS—Quite so.

Hon. Mr. YOUNG—Would my hon. friend explain in what connection he used the word 'pilfer.' The terminal elevator man at Fort William, where this pilfering that my hon. friend refers to, takes place, does not weigh the grain that comes in. A government official weighs the grain in, and a government official weighs the grain out. Why do you charge the man who owns the terminal elevator with pilfering, when the whole management of his elevator is under government officials? I am not a terminal elevator man and have no interest in terminal elevators.

Hon. Mr. DAVIS—The government official must have been asleep.

Hon. Mr. YOUNG—But I am stating what the rules and regulations are, and my hon. friend reminds me that stock is taken of the grain in the elevators once a year, not as the hon. leader of the opposition said, reading from an article last spring; stock is taken and the grain is weighed up in the fall, and the gentleman who wrote that article had not the information, or he would have found that the weighing up only took place in the fall.

Hon. Mr. LOUGHEED—This is the Canadian magazine of January.

Hon. Mr. YOUNG—The article may have been written then, but if the hon. gentleman will look up the record, he will find the complaint that was made with reference to the terminal elevator man making false returns, was not made after the weigh-up, but was made on an estimate of the quantity contained in the elevator.

Hon. Mr. LOUGHEED—I do not for a moment adopt the statement made by the writer, because I know nothing about it.

Hon. Mr. YOUNG—I am not charging the hon. gentleman with making any statement beyond quoting from a magazine article. To come back to the weighing of grain at Fort William, I do not think it is fair that an impression should be created that the elevator man has opportunities of being crooked, when the government official does the weighing.

Hon. Mr. CLORAN—That is no guarantee.

Hon. Mr. YOUNG—The unfairness is in stating what the law is. I have no interest in these matters, and I am simply giving information to the House.

Hon. Mr. BEIQUE—Is it suggested that grain is received as No. 2, then mixed with No. 1, and the whole shipment sold as No. 1?

Hon. Mr. YOUNG—As our law stands that is impossible—at least it is illegal.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is not impossible, I am sorry to say.

Hon. Mr. YOUNG—It is illegal. At Fort William, the government inspector inspects in, and the government inspector inspects out, and no elevator can turn its spout into a vessel without the permission of a government official, and there must be an inspector standing there to see that the grain is coming out, and he takes samples continuously. If the sample is below grade, it is the government inspector's official duty to immediately order the elevator to cease working, because they would be delivering stuff not of the proper grade, and he would refuse a certificate out for No. 1. It is illegal to do otherwise, but not impossible. I am not going to argue that it has not been done, or that it has been done.

Hon. Mr. DAVIS—Men have been fined for doing it.

Rt. Hon. Sir RICHARD CARTWRIGHT—The statement I make is in accordance with the evidence given in court where these parties were fined.

Hon. Mr. YOUNG—I understood the cases of prosecution were for making false returns.

Rt. Hon. Sir RICHARD CARTWRIGHT—Both. The evidence was that they had received a certain quantity of first class, and a certain quantity of second class, and that they sent out a much larger quantity of first class than they had received and a much smaller quantity of second class. That is a statement of the first cases that came up. I think some of the later cases have fallen through.

Hon. Mr. YOUNG—I must say I have not the abiding faith in the conversion to fixed principles of honesty of the gentleman who had been handling grain in the west for the last few years that the hon. gentleman from Killarney has. I fancy that if these gentlemen who have been alluded to by the hon. gentleman from Tantallon (Hon. Mr. Douglas) have not been manipulating grades to the extent of about half a million bushels, switching from No. 2 to No. 1, for which they were fined in the court of law, there would have been no necessity for the introduction of this Bill. If there has been an agitation going on for years amongst the farmers of the Northwest for amendments to the Grain Act, which appears to be strange to people down here, these gentlemen are responsible, because as soon as the farmers get legislation to protect themselves against grain dealers, they find after that, after the law is put in operation, there is a loophole in it which these men take advantage of, and the farmers have to come back to parliament for more legislation. Any person who knows anything about the grain trade, knows that it is not a very good thing after inspection to be found manipulating the grades. When you put a certain number of bushels of No. 1 wheat into an elevator, the record shows that, and if about half as much more goes out of it of that particular grade, and you find a shortage in the lower grade, I do not think it can be considered very honest. The greatest manipulation is in the lower grades. Take a grade of wheat that the inspector will not grade No. 1. It is just as good as No. 1 Northern if it were not for a few smut balls in it. These gentlemen have not alluded to the hospital they have at Port Arthur where they treat this class of grain. It is put down in a lower grade where the depreciation is 20 cents, and the man who owns that grain loses 20 cents; but after it is put through this hospital, they make it as good as it was before it was damaged. With regard to our wheat going across the boundary line, as the hon. gentleman states, I do not think there is much in that. We have not seen any great difference in the amount that has gone that way.

Hon. Sir MACKENZIE BOWELL—There is a great difference in being able to take it across the line without any trouble.

Hon. Mr. DAVIS—The United States export grain themselves. I do not think they are going to pay us four or five cents more for our wheat to take it out and then sell it in the same market we sell ours. There is one class of wheat that may go south, and that is the off grade my hon. friend from Tantallon (Hon. Mr. Douglas) speaks of. That is the grade of wheat that gets a little off colour with rain, which would be graded as No. 2 Northern if the rain had not injured it and made it a little tough. When it dries it will be graded differently, and as a matter of fact it has just as great a commercial value for making flour as the high grade wheat, and that is one branch of the business in which these men have been making money. Our men have been confined to the Canadian market for that class of wheat. It is just a question whether that grain will not go down to Minneapolis or come this way. I am inclined to think if this Bill provides for special binning privileges at the head of the lakes, all that class of wheat will go down there, and it will be a sample market, and the United States dealers can come in and bid on that class of wheat, which is not now exported out of the country. If that be the case, it may not be taken across the line, but if it is some person will get the benefit of it.

Hon. Mr. LOUGHEED—Where does it go now?

Hon. Mr. DAVIS—To the Ontario millers, and they buy it as cheaply as they can get it. When you ask them about the rejected wheat, they tell you they do not know anything about it. It is no good at all. The statement was made in the committee that this wheat was not worth anything, still there are millions of bushels of it, and it all disappears. It is not thrown into the lake at Port Arthur. It is worth just as much as No. 1 hard and you get it for 20 cents less. I would suggest that steps be taken, if the reciprocity treaty is adopted, to establish a sample market at Port Arthur of 50,000 bins, and have this rejected wheat sold by sample there and the United States dealers can come and buy it the same as any person else. My hon. friend has alluded to the fact that the farmers have organized an association called the Grain Growers' Grain Association, and that they have made a profit on their operations of 30 to 40 per cent. If they can make that per cent, what have the other buyers been making when they have been sizzling them right along. I have known people to put up an elevator and pay for it in one year, and then talk about it, and when you ask them what they will pay for off grade wheat they will say: 'Whatever my pocket will permit'. Well, God help the farmer. If these people were as honest as they should be, there would be no need for this legislation at all, because there would be no mixing.

Hon. Mr. CAMPBELL—In the last few years I have been handling a great deal of Manitoba wheat, and it has been a very good thing for us and for all the millers in Ontario. We had in the past reason to complain. As a rule, the millers of Ontario buy the best grades of wheat, finding it the cheapest in the long run; but we have often found when we bought No. 1 Northern that, in our opinion, we were getting a good deal of No. 2 Northern. True it bore the inspector's certificate, and we could not go beyond the elevator weights and inspection.

Hon. Mr. YOUNG—The government weights and inspection.

Hon. Mr. CAMPBELL—Yes, the grain is inspected in Winnipeg and goes to Port Arthur and Fort William, and is put in the elevators there. It is weighed in by a government weigher, and out by a government weigher, but during the time it is in that elevator, we find Mr. Elevator man is simply elevating No. 2 northern into No. 1 bin, and he sends it out under his original certificate as No. 1 northern. There is no disputing the fact that that has been going on, because the records of the court show that there was a good deal of manipulation in that way, and, therefore, as a miller from the province of Ontario, I am very heartily in favour of the Bill. I believe it is a wise thing for the government to take complete control of the grain from the time it leaves the farmers' hands until it is exported to British ports, and if we appoint honest, reliable, and thoroughly com-

petent men, to manage the elevators at Port Arthur and the terminal elevators at the lake ports and all the machinery for handling, inspecting and grading this grain, it will inure greatly to the benefit of the farmers of the northwest as well as the dealers and millers in Ontario and those who handle grain. It is a very important Bill, and one which, in my opinion, should be passed. I do not take so much stock in the alleged abuses suffered by the farmers of the Northwest. I have no doubt that in the earlier years unscrupulous buyers very often, as I know they have in some cases in Ontario, have taken a little more than they should, but as a rule the great competition that exists now will compel the dealers to pay about what the market can afford. In my long experience in handling grain I have scarcely ever known a man who was buying and selling grain making very much money. Some years he would make a great deal, and other years he would lose. The market fluctuates so much that he does not make much profit in the long run. The Bill will help the farmers in the northwest, and will be a great protection to the dealers in the east, and it will insure our grain going to the markets of the world as it should go, on its merits as No. 1 or No. 2 Northern, or whatever it may be. I believe with the hon. gentleman from Saskatchewan (Mr. Douglas), that the farmers of the northwest will not get very much advantage on their higher grades of grain if the proposed reciprocity goes into effect, but I do think that when they are unfortunate with their harvest by reason of a hail storm or frost, and have a large proportion of rejected or frozen wheat, they will get considerably more under the proposed reciprocal arrangement, if it goes through, than they do now, because they will undoubtedly have another and competing market for their grain. They cannot send it to the British market. The cost of carriage is too much, and heretofore they have only had the dealers in Ontario, who bought such grain for feed at a very low price. The higher grades are regulated by the markets of the world, and I do not anticipate the Bill will make any difference in them. There may be times when there is a shortage in the United States when dealers will pay a little more; but all the lower grades of grain that will go south to the mills under the reciprocal arrangements, will be only a drop in the bucket. Last year some 2,000,000 bushels went south. Supposing there were ten, twenty or thirty million bushels went south to the mills at Minneapolis or to any other parts of the States, what is that compared with the enormous output of the Northwest which in five years will be three hundred million bushels at all events? I do not think we need fear that the grain which will go south will seriously injure us. Any man who studies the map of Canada and the United States cannot come to the conclusion that any considerable proportion of our grain is going to be diverted south. There is no reason why, in the last 10 years, they could not ship millions of bushels through the United States in bond, but they did not do it, and they could not do it, because they could not fight against nature. Montreal is bound to be the output for grain during the season of navigation, especially so when we have through facilities, the Grand Trunk railway and Canadian Pacific railway are now spending enormous sums of money at Victoria Harbour and Midlands to handle grain and other products. They have their lines from the lake ports to Montreal, and when the treaty goes into effect a large quantity of grain grown in the west will find its way down the St. Lawrence by Port Colborne or Midland, and Montreal will be a greater exporter of grain in the future than it has been in the past. There are very many details in this Bill which have to be worked out in committee. We can discuss them there clause by clause in a fuller manner. It may be that some clauses will require amendment, but in the meantime I think the Department of Trade and Commerce deserve great credit for bringing this measure before the House, which I am sure will be a benefit to the people of Canada.

Hon. Sir MACKENZIE BOWELL—The experience in the past in reference to the carrying trade does not justify the conclusion at which the hon. gentleman has arrived. I am not going to discuss the reciprocity question, or the effect it may have on the country or on the carrying

trade ; but the figures do not justify what the hon. gentleman stated. Experience has taught the western farmer that the damaged grain to which he has alluded has paid him much better by feeding it to his hogs and cattle than selling it.

Hon. Mr. CAMPBELL—Because many of those farmers could get only ten or fifteen cents a bushel for it at their doors.

The motion was agreed to, and the Bill was read a second time.

SECOND READINGS.

Bill (X) An Act respecting the Manitoba Radial Railway Company.—Hon. Mr. Young.

Bill (Y) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Gibson.

Bill (No. 84)—An Act respecting the Southern Central Pacific Railway Company. —Hon. Mr. Watson.

Bill (No. 74) An Act respecting International Railway Company and International Traction Railways.—Hon. Mr. Gibson.

CAMPBELLFORD, LAKE ONTARIO AND WESTERN RAILWAY COMPANY BILL.

SECOND READING.

Hon. Mr. DERBYSHIRE moved the second reading of Bill (No. 68) An Act respecting the Campbellford, Lake Ontario and Western Railway Company.

Hon. Sir MACKENZIE BOWELL—What is the diversion in this case?

Hon. Mr. DERBYSHIRE—This road is to run from a point on the Canadian Pacific railway between Smith Falls and Sharbot Lake, thence southwesterly to a point at or near Cobourg, thence in a westerly direction to a point between Locust Hill and Leaside Junction. The Canadian Pacific railway has taken hold of this proposition and are asking for an extension of time for the old charter.

Hon. Sir MACKENZIE BOWELL—I should like to know what the diversion is? If it were only an extension of time for the construction of the road, no comment would be necessary, but I notice that the route is changed while the name of the railway and the title of the Bill is continued. From Sharbot lake, the original Bill gave power to build a road through Campbellford and on to Toronto. This Bill changes the route and enables them to start from Bathurst or some other point west of Smiths Falls, then going on towards Cobourg. Does that not divert the road to the south?

Hon. Mr. DERBYSHIRE—It does to some extent. The engineers found difficulties on the old route. They have found a route farther south that is practicable, and will cost less money while shortening the line.

Hon. Sir MACKENZIE BOWELL—Does it go as far south as Belleville?

Hon. Mr. DERBYSHIRE—Not quite, but it will run nearer to Belleville.

The motion was agreed to, and the Bill was read the second time.

THE ROBERTSON DIVORCE BILL.

REPORT OF THE COMMITTEE ADOPTED.

The order of the day being called:

Resuming the adjourned debate on the motion for the consideration of the sixth report of the Standing Committee on Divorce, to whom was referred the petition of Lorne Forbes Robertson, together with the evidence. —Hon. Mr. Cloran.

Hon. Mr. KIRCHHOFFER moved that the report be concurred in.

Hon. Mr. POWER—I doubt if that can be done. The hon. gentleman from Victoria division moved the adjournment of the debate, and I do not think it would be altogether proper, and certainly not courteous to him, to proceed with the motion in his absence.

Hon. Mr. KIRCHHOFFER—He was standing at the door five minutes ago.

Hon. Sir MACKENZIE BOWELL—There should be good reason for postponing any measure. It should not be simply because a senator walks out of the House. His duty is to be here. If he is not here it is evident he does not take an interest in the business before the House. While I should

be very sorry to be accused of want of courtesy to any member, I think the sooner we put an end to stopping business simply because a member is not present, the better.

Hon. Mr. POWER—I had noticed during the greater part of the afternoon that the hon. gentleman from Victoria division was not in his usual seat, and I was under the impression that he was not in the House, but now that I am informed he was in the House a few minutes ago, and did not wait for this measure to come up, I withdraw my objection.

The motion was agreed to.

THIRD READING.

Bill (W) An Act to correct a clerical error in the French version of Chapter 142 of the Statutes of 1910.—Hon. Mr Béique.

The Senate adjourned until to-morrow at 2.30 p.m.

THE SENATE.

FRIDAY, February 24, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

THE NAVAL BOARD.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Governor in Council appointed a Naval Board to assist the minister in charge of the Naval Service in the fulfilment of his duties?
2. When was that board appointed?
3. Of whom is this board composed?
4. What rank does each of the members of this board hold in the Navy?
5. What are the duties of each?
6. Are there, among the members of the board, any officers loaned to Canada for a fixed time by the British Admiralty?
7. What are their names, their rank, and what is to be the duration of their engagement in the Navy?

Rt. Hon. Sir RICHARD CARTWRIGHT—I may answer all my hon. friend's queries at once: No board has yet been appointed.

THE CARRIERE-LAINE PROPERTY AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Carrière-Laine property, purchased by the government from the Bank of Montreal for $393,628, cut into two parts by the Intercolonial railway?
2. What is the estimated value of the part situated south of the Intercolonial railway, and which contains the buildings, workshops and movable property?
3. What is the estimated value of the part situated north of the Intercolonial railway,
4. What part has been rented by the government to the Canadian Shoe Manufacturing Company?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are as follow:

1. Yes.
2. $131,000 for land, $52,000 for buildings and $18,000 for machinery.
3. $179,000.
4. The greater portion of that situated south of the railway track.

PURCHASE PRICE OF CHAMPLAIN MARKET.

INQUIRY POSTPONED.

The notice of inquiry being called:

By the Hon. Mr. LANDRY:

1. What was the purchase price of the Champlain Market in Quebec.
2. What is the area of the land so purchased?
3. Before what notary did the parties to the purchase contract appear?
4. What fees did the notary charge for his deed?
5. Was the contract submitted to the legal advisers of the government for examination?
6. To whom was it submitted?
7. What was the cost of this examination?

Rt. Hon. Sir RICHARD CARTWRIGHT—In respect to the questions from 3 to 13, which my hon. friend has on the Paper, the Railway Department write to me that they are doing their utmost to get these answers for the hon. gentleman, but they cannot secure the information for some little time.

Hon. Mr. LANDRY—All the information I ask for is in the department itself. I have had these questions on the Order Paper since the 8th of February. Look at the questions set down on the 8th and 9th of February:

What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Montmagny?

That is in a lump sum. The whole thing could be done in two or three hours.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will not undertake to contradict my hon. friend. I will only state that I have caused the Railway Department to be applied to de die in diem since he put the questions on the Paper.

Hon. Mr. LANDRY—I am very thankful for the anxiety my hon. friend displays in the matter, but if the Railway Department cannot do its duty we might perhaps try to change the deputy minister—change somebody.

Rt. Hon. Sir RICHARD CARTWRIGHT —They have not supplied me with the information, but I shall endeavour to obtain it.

Hon. Mr. LANDRY—It will only take five minutes to answer inquiry No. 3. They might say the price was $200,000 or $300,000. That should not take a week to answer. Then I ask what is the area of the land so purchased, and before what notary did the parties appear?

Hon. Mr. DANDURAND—Does that apply to the city of Quebec?

Hon. Mr. LANDRY—The government purchased that from the city of Quebec. They have paid the money and know how much they paid. They know who passed the contract and who was the notary, and I am told I must wait two or three weeks or perhaps a month before I receive an answer.

Hon. Mr. DANDURAND—The hon. gentleman is going back to Quebec. He can find out by telegraphing to the clerk of the city of Quebec what price the city received.

Hon. Mr. LANDRY—I want an official statement given by a competent authority.

Hon. Mr. DANDURAND—But pending our return on March 8th, the hon. gentleman could satisfy his curiosity by telephoning.

Hon. Mr. LANDRY—My curiosity is satisfied. I know how much they paid, but the Railway Department officials cannot give it, they are too busy.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will endeavour to obtain the information.

Hon. Mr. LANDRY—Any time I address myself to the Department of Railways and Canals, of which Mr. Parent is one of the officers, I can get no answer.

Hon. Mr. DANDURAND—If the hon. gentleman will allow me, I went to the department during the last thirty days, several times to obtain some information. The uniform answer was that all the clerks were busy preparing answers for Hon. Senator Landry.

Hon. Mr. LANDRY—If they could once give that information my hon. friend would not require to make any more trips; but they are reserving that as a reason for not supplying my hon. friend with the information he desires. Therefore my hon. friend should join with me and press my inquiry, and he will then obtain information on his own behalf.

QUEBEC BATTLEFIELDS COMMISSION.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General; praying His Excellency to cause to be laid on the table of this House copy of the last report made to the government of the Quebec Battlefields Commission.

The motion was agreed to.

THE JUDGE AT ST. HYACINTHE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who is the present judge of the Superior Court administering justice in the judicial district of St. Hyacinthe?
2. What is the date of his appointment?
3. Where was his residence fixed?
4. Does the judge in question reside at the place that was assigned to him at the time of his appointment?
5. If not, why?
6. Is it the intention of the government to act in the interests of the litigants of that district by requiring the honourable judge to

reside in the district for which he was appointed?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply of the department is as follows:

1. The Honourable Mr. Justice Martineau.

2. January 29, 1907.

3. His place of residence is not fixed by his commission, or by order of His Excellency the Governor General in Council.

Hon. Mr. LANDRY—That is contrary to law, and contrary to the policy of the government, because some time ago I asked what was the policy of the government and they said it was fixed by an order in council or in the judge's commission. In this case it is neither in the order in council nor in the commission.

Hon. Mr. DANDURAND—This may help to solve a difficulty we are labouring under in Montreal. There are several judges in the country around Montreal.

Hon. Mr. LANDRY—I only want to know if he is authorized to do that.

BILLS INTRODUCED.

Bill (B-1) An Act for the relief of Maggie Florence Sadler.—Hon. Mr. Derbyshire.

Bill (C-1) An Act for the relief of Gertrude Maud Grant.—Hon. Mr. Derbyshire.

Bill (D-1) An Act for the relief of George Addison Brown.—Hon. Mr. Derbyshire.

Bill (E-1) An Act for the relief of Mary Hamilton Johnston.—Hon. Mr. Derbyshire.

Bill (F-1) An Act for the relief of Dalton Mabel Stapleton.—Hon. Mr. Derbyshire.

Bill (G-1) An Act for the relief of Lorne Forbes Robertson.—Hon. Mr. Watson.

Bill (H-1) An Act for the relief of Cecil Ernest Freeman.—Hon. Mr. Campbell.

THIRD READINGS.

Bill (C) An Act to incorporate the Alberta-Saskatchewan Life Insurance Company.—Hon. Mr. Lougheed.

Bill (O) An Act respecting the Western Alberta Railway Company.—Hon. Mr. Béique.

Bill (J) An Act to incorporate the Canadian Inter-Mountain Railway Company.—Hon. Mr. Béique.

Bill (42) An Act respecting the Collingwood Southern Railway Company.—Hon. Mr. McMullen.

SECOND READINGS.

Bill (92) An Act respecting the Alberta Central Railway Company.—Hon. Mr. Talbot.

Bill (99) An Act to incorporate the Niagara, Welland and Lake Erie Railway Company.—Hon. Mr. Gibson.

KETTLE RIVER VALLEY RAILWAY COMPANY BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. BEIQUE moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to (Bill 82) An Act respecting the Kettle River Valley Railway Company, and to change its name to 'The Kettle Valley Railway Company.'

He said: The amendments to this Bill were for the purpose of striking out a clause which purported to enable the company to carry on the express business. It was deemed unnecessary, because it was covered by the Railway Act, and it was not advisable to insert such a provision in the Bill. The other amendment was in connection with the issuing of securities on property other than the railway itself. The standard clause adopted by the committee was introduced in this Bill in lieu of the clause which appeared in the Bill as it came from the House of Commons. It is for the purpose of preserving uniformity in the mode of issuing securities of all kinds by railway companies.

The motion was agreed to.

BILLS INTRODUCED.

Bill (I-1) An Act to incorporate the Baptist Convention of Ontario and Quebec.—Hon. Mr. Derbyshire.

Bill (J-1) An Act to incorporate the Canadian Baptist Foreign Mission Board.—Hon. Mr. Derbyshire.

Bill (56) An Act to incorporate the Hudson Bay Mortgage Corporation.—Hon. Mr. Ross (Moosejaw).

Bill (91) An Act to incorporate the Pacific and Peace River Railway Company.—Hon. Mr. Bostock.

SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (122) An Act for granting to His Majesty certain sums of money for the public service for the financial year ending March 31, 1911.

The Bill was read a first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said the sums referred to in this Bill are but four in number. One is on account of exhibitions, a further amount of $100,000; one is for seed grain and relief advances $50,000, another for fisheries protection service, $20,000, and for the Technical Education Commission, $10,000; in all $180,000.

Hon. Sir MACKENZIE BOWELL—Could the hon. gentleman tell us whether that is for money already expended, or for moneys to be utilized for the purposes indicated in the future?

Rt. Hon. Sir RICHARD CARTWRIGHT—I think a portion of it has been spent. The remainder is desired to be spent provisionally. The chief items are $100,000 for exhibition purposes, in connection with the expenditure now going on, on these accounts, and $50,000 for seed grain for the relief of distressed settlers.

Hon. Sir MACKENZIE BOWELL—I supposed it had already been spent.

Rt. Hon. Sir RICHARD CARTWRIGHT—Part of it has been. I am not sure about the whole.

Hon. Sir MACKENZIE BOWELL—Money spent on debts incurred before the 31st March.

The motion was agreed to, and the Bill was read a second and third time under a suspension of the rules.

The Senate adjourned during pleasure.

BILLS ASSENTED TO.

The Right Honourable Sir Charles Fitzpatrick, Chief Justice of Canada, acting as Deputy Governor of His Excellency the Governor General, being seated at the foot of the Throne, the following Bill was assented to:—

'An Act for granting to His Majesty certain sums of money for the public service of the financial year ending 31st March, 1911,' to which I humbly request Your Honour's assent.

The Senate adjourned until Wednesday, March 8, at 3 p.m.

THE SENATE.

WEDNESDAY, March 8, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

COMPLAINTS AGAINST COMMANDANT OF THE 7th MILITARY DISTRICT.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for the production of a copy of the complaint made by the commandant of the 61st Regt. against the commandant of the 7th military district, of the reply of the latter and of all correspondence on the subject between the authorities at Ottawa and those at Quebec and Montreal, and copy of the report of Inspector General settling the case.

The motion was agreed to.

POSITION OF LIEUTENANT GOVERNOR OF QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

Is it true that the position of Lieutenant Governor of the province of Quebec has been offered to the Hon. Sir Francois Langelier, Judge of the Superior Court of the province of Quebec?

2. Is it true that the honourable judge has stated to those concerned that he would refuse the position, should it be offered to him?

Rt. Hon. Sir RICHARD CARTWRIGHT—As to the first part of the question, I am not aware that Sir Alphonse Pelletier has resigned. As to the second I have no information.

Hon. Mr. LANDRY—I suppose it may be taken for granted, though the hon. leader

of the House may not have been informed, that the resignation has been forwarded. The right hon. gentleman means to say not to his knowledge.

Rt. Hon. Sir RICHARD CARTWRIGHT —When I am informed I can answer the question

Hon. Mr. LANDRY—The hon. gentleman stands uninformed.

FRENCH VERSION OF CANADIAN ARCHIVES REPORT.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Shall the French version of the 3rd volume of the Canadian Archives of 1905, soon be issued to the public?
2. When was the manuscript of the said volume placed in the hands of a notary in Quebec, for revision?
3. How long did the notary keep the manuscript in his possession?
4. When did he return it?
5. How much did this revision cost?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The French version of the third volume of the Archives Report for 1905, published in English in 1907, will be issued in a few weeks after the manuscript is returned by Mr. Sirois.

2. The manuscript consists of about 1,700 pages of foolscap. The first part was sent to Mr. Sirois in July, 1909. The second part in March, 1910, and the remainder in November, 1910.

3 & 4. Four hundred pages were returned by Mr. Sirois, in December, 1909, one thousand pages in November, 1910, and the balance is still in his hands.

5. Mr. Sirois has been paid $250 on account of the work, and he will receive $250 on the completion of the revision.

IMPORTATION OF REINDEER INTO CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How many reindeer has Dr. Grenfell imported into Canada, year by year, from the time he was charged by the government of such an importation.
2. For what amount in each year?
3. Are all the reindeer imported by Dr. Grenfell, in Canada, or did he place some elsewhere?
4. Are those animals kept for reproduction or are they sold and on what conditions to the inhabitants of Labrador or of the territory of Ungava?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1, 2 & 3. But one importation of 300 animals was made by Doctor Grenfell, the purchase price being 9,375 Kr., or $2,534.72. These he found it was impossible to land on the Canadian Labrador, so landed them at St. Anthony, Newfoundland.

Since answering a question asked on the 12th January last by the hon. the Senate, a letter has been received from Doctor Grenfell intimating that owing to his inability to secure a ship to transfer these animals from St. Anthony, Newfoundland, to Mekattina Island, he was unable to do so, but he hopes to remove them this coming June.

4. For reproduction.

PURCHASE OF CHAMPLAIN MARKET, QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the purchase price of the Champlain Market in Quebec?
2. What is the area of the land so purchased?
3. Before what notary did the parties to the purchase contract appear?
4. What fees did the notary charge for his deed?
5. Was the contract submitted to the legal advisers of the government for examination?
6. To whom was it submitted?
7. What was the cost of this examination?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following replies are furnished by the National Transcontinental Railway Commission:

1. $100,000.

2. 130,884 square feet. (Deep water lot, 62,346 square feet.)

3. Charles Edmond Taschereau.

4. No bill has been rendered.

5. Yes, for examination and approval.

6. Hon. L. A. Taschereau.

7. The services performed involved a large number of attendances on and conferences with the mayor of Quebec, the notary and the chairman of the Transcon-

tinental Commission; the settling of the terms and documents and examination of abstract and deed, &c., for all of which the cost was $250.

THE QUEBEC BRIDGE.

MOTION.

Hon. Mr. LANDRY inquired:

1. Has the commission appointed by the government to examine the different plans and propositions for the construction of a bridge between Quebec and Levis, fulfilled its mission?
2. Has it made a selection, or at least has it recommended to the government the selection which in its opinion, should be made in the best interests of the country?
3. What is this selection? Which is, among the different tenderers, the company whose plans to the government have been recommended by the commission?
4. What is the amount asked for by the company for the construction of the Quebec bridge?
5. When will this construction be completed?

Rt Hon. Sir RICHARD CARTWRIGHT —The reply is as follows:

1. The board of engineers appointed in connection with the reconstruction of the Quebec bridge will not have fulfilled their mission till the work of reconstruction is complete.

It is not in the public interest to answer 2, 3, 4 and 5 at the present time.

AGREEMENT WITH PHŒNIX BRIDGE COMPANY.

INQUIRY.

Hon. Mr. LANDRY inquired:

On the 8th instant, an official reply from the government affirmed the following:—

Whatever claim the government may have had against the Guarantee Company, when the property of the Quebec Bridge Company was taken over, was included in the settlement with the Phœnix Bridge Company.

What is the settlement mentioned here and which is alleged to have entered into with the Phœnix Bridge Company?

Between what parties was this agreement concluded?

At what date?

Has this agreement been communicated to Parliament?

What was the form of it, and the date thereof?

Rt. Hon. Sir RICHARD CARTWRIGHT —Following is an extract from the agreement between the government and the Phœnix Bridge Company, agreement dated March 12, 1910. This agreement was not communicated to parliament. All papers in connection with this question were laid on the table of the House on January 16, 1911:

Now this agreement witnesseth: That, for and in consideration of the sum of one hundred thousand dollars ($100,000) paid to government by Phœnix Company, the receipt whereof is hereby acknowledged in discharge of all damages suffered by the Quebec Bridge and Railway Company and by government as its successor and assignee, or otherwise by the fall of said bridge, and in discharge of all claims and demands of the Quebec Bridge and Railway Company against Phœnix Company assigned to government and of other good and valuable considerations, it is mutually agreed by the parties hereto as follows:—

1. Government for itself and as successor to and assignee of the Quebec Bridge and Railway Company, hereby releases and discharges Phœnix Company from all claims, demands or rights of action for or by reason of any matter or thing growing out of the execution and delivery of said original agreement of June 19, 1903, and said letters made part thereof, and said supplemental agreement of April 21, 1908, and the performance of or the failure to perform the covenants and provisions thereof by Phœnix Company, and from all claims, demands, leases or rights of action by reason of the collapse, failure and fall of said bridge, and any matter or thing growing out thereof, and from all liability under said bond of $100,000 which is herewith surrendered for cancellation.

2. Government for itself and as successor to and assignee of the Quebec Bridge and Railway Company does hereby sell, transfer, assign, set over and release unto Phœnix Company all its rights, title, interest, ownership or possession in and to all steel, manufactured materials and other articles intended to be used for, in and about construction and the erection of said bridge and now at the works of said Phœnix Company Phœnixville, State of Pennsylvania, United States of America, and does hereby release, discharge and surrender unto Phœnix Copamny the whole of the working plant placed and used by it on and for the erection of the bridge superstructures, including all mechanical appliance hoisting machines, motors, tools, machinery and equipment used in said work, and the buildings, workshops, landings and false works erected for the purpose of said contract, and now at or near the site of the bridge and at south side of storage yard, and at Belair storage yard, in the province of Quebec, Dominion of Canada, freed from all lien or liens, pledge or right of possession, existing under or created by the said agreement, or by or on account of any other matter or thing whatsoever.

3. Phœnix Company hereby releases and discharges governement from all claims and demands, rights or causes of action, moneys due or withheld, approved and estimated payments due or payable to it by or under or

through the said agreement of June 19, 1903, and the letters supplemental thereto, and does hereby surrender to government the said supplemental agreement dated April 21st, 1908, and all its rights thereunder, and Phœnix Company does hereby release, assign, said supplemental agreement dated April 21, title, property and interest in and to all steel and manufactured materials used in and for the superstructure of said bridge, and all such steel and manufactured materials intended to be used for the superstructure of said bridge now at or near the site of said bridge and at the south side storage yard and at Belair storage yard, and Phœnix Company does hereby also sell, assign, transfer and set over unto government all its claims, demands, choses in action and rights of action against the Quebec and Railway Company.

4. It is the express intention of the parties hereto to mutually release and discharge each other from all claims and demands of any nature or kind whatsoever, growing out of or in any manner connected with the said agreement for the erection of said bridge, or the said supplemental agreement, or the fall and collapse of said bridge.

5. This agreement shall be binding upon the respective successors and assigns of the parties of the first and second parts thereto.

THE CARRIERE-LAINE PROPERTY AT LEVIS.

INQUIRY.

Hon. Mr. LANDRY inquired of the government:

The Senate having, on the 22nd April last given an order to lay upon the table of this House a copy of all correspondence exchanged between the government, the Departments of Justice and Public Works, and all other persons, on the subject of the acquisition, &c., of the Carriere-Lainé property at Lévis, may it be expected that the Departments of Justice and of Public Works, whom this order speically concerns, will make it their duty to order their agents at Quebec, Messrs. Vien and Decarrie, to furnish without further delay a complete copy of their correspondence on this subject with their respective departments or with other persons?

Rt. Hon. Sir RICHARD CARTWRIGHT —All information in the possession of the Department of Public Works has been supplied. The department of the Secretary of State states that all the information they have has been forwarded in the form of returns.

Hon. Mr. LANDRY—I would call the right hon. gentleman's attention to the fact that his reply does not answer the question. I am not speaking of the Secretary of State, I am speaking of the Department of Justice and the Department of Public Works. They say they have nothing in their possession; that is not a reply to the question. I am asking for what is in the possession of their agents in Quebec. When will that information be given to this House, as ordered?

Rt. Hon. Sir RICHARD CARTWRIGHT —I called their special attention to the form of the hon. gentleman's questions, and that is the answer they have furnished me. If he will leave it on the table, I shall endeavour to see if any further information can be wrung out of them.

Hon. Mr. LANDRY—Let it stand, so that we shall not worry their agents, Messrs. Vien and Decarrie, of Quebec, if these gentlemen will comply with the order of this House.

The inquiry was ordered to stand until Thursday.

RIGHT OF WAY FOR THE NATIONAL TRANSCONTINENTAL RAILWAY. IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired

1. How much has the right of way of the Grand Trunk Pacific across the county of Dorchester cost up to this date? What are the amounts which have been paid for legal costs, over and above the total sum expended for the land? To whom, giving the names, have these last amounts been paid?

2. How much has the right of way of the GrandTrunk Pacific across the county of Bellechasse cost up to this date? What are the amounts which have been paid for legal costs over and above the total sum expended for the land? To whom, giving the names, have these last amounts been paid?

3. What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Quebec? Besides the total amount paid for the land, what were the sums paid for legal expenses? To whom, giving the names, have these last amounts been paid to?

4. What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Montmagny? Besides the total amount paid for the land, what were the sums paid for legal expenses? To whom, giving the names, have these last amounts been paid to?

5. What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Portneuf? Besides the total amount paid for the land, what were the sums paid for legal expenses? To whom, giving the names, have these last amounts been paid to?

6. What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Lévis? Besides the total

amount paid for the land, what were the sums paid for legal expenses? To whom, giving the names, have these last amounts been paid to?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to these several inquiries can only be given up to December 31, 1910, and are as follows:

Cost of right of way to December 31, 1910 across the following counties:

Quebec county	$116,399 65
Portneuf county	198,017 03
Lévis county	47,213 00
Dorchester county	66,000 15
Bellechasse county	17,924 37
Montmagny county	13,009 00

Legal Expenses.—Mr. Charles E. Taschereau, of Quebec, was the notary who acted for the commissioners in taking deeds embracing the counties of Quebec, Dorchester, and part of Bellechasse. He also took a few deeds for the River Ouelle Pulp and Lumber Company and Price Brothers Company, in L'Islet and Kamouraska counties. As the work was going on all the time Mr. Taschereau's bills mix all these counties up and it is therefore impossible to give the exact legal costs for each county. Mr. Taschereau has been paid to December 31, 1910, the sum of $9,028 for his services.

Portneuf county.—Legal expenses paid to:

Charles Delgrave, notary	$2,102 79
J. O. East, notary	1,981 24
H. F. Smith, notary	2,183 11
Ed. Hamel, notary	1,664 35
E. A. Panet, notary	281 09
N. E. Lacourciere, notary	4,392 12
Ed. Vigneau, notary	200 00

Levis county.—Legal expenses paid to:

Raoul Demers, notary	$327 80
J. B. Bourassa, notary	394 41
V. E. Lemieux, notary	194 31
J. R. L. Lemieux	257 53

Bellechasse county.—Legal expenses paid to:

J. H. Rousseau, notary	$1,542 77

Montmagny county.—Legal expenses paid to:

Geo. W. Pion, notary	$674 30

In addition to the above notarial expenses, L. A. Taschereau, K. C., acted as solicitor for the commissioners in the examination and approval of all deeds for right of way and other purposes covering the counties of Quebec, Portneuf, Champlain, Lévis, Dorchester, Bellechasse, Montmagny and L'Islet, and he was also the general legal adviser for the commissioners in connection with the work through the province of Quebec. His bills are not made showing the details of his service by counties, and it is therefore impossible to give the amounts paid to Mr. Taschereau in that way. A return has been made up and sent to the Senate showing what he has been paid altogether.

BILLS INTRODUCED.

Bill (No. 4) An Act to amend the Railway Act.—Hon. Mr. Coffey.

Bill (No. 43) An Act respecting a patent of Conduits Company, Limited.—Hon. Mr. Jones.

Bill (No. 101) An Act respecting the Huron and Ontario Railway Company.—Hon. Mr. Ross.

Bill (No. 105) An Act respecting the Imperial Steamship Company.—Hon. Mr. Thompson.

Bill (No. 106) An Act to incorporate the Lake Erie and Northern Railway Company.—Hon. Mr. Thompson.

Bill (K-1) An Act to incorporate the Hudson Bay and Pacific Railway Company.—Hon. Mr. De Veber.

Bill (L-1) An Act to change the name of the Manitoulin and North Shore Railway Company.—Hon. Sir George Ross (Middlesex).

Bill (M-1) An Act to incorporate the Lloyds Casualty Company of Canada.—Hon. Mr. McHugh.

Bill (N-1) An Act to incorporate the Pacific and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (O-1) An Act to amend and consolidate the Acts relating to the Harbour of Toronto.—Hon. Mr. Jaffray.

Bill (P-1) An Act to incorporate the Western Canal Company.—Hon. Mr. Campbell.

Bill (Q-1) An Act to amend the Inspection and Sale Act as regards the weights of a bushel and a bag of certain articles.—Rt. Hon. Sir Richard Cartwright.

A QUESTION OF PRIVILEGE.

Hon. Mr. MACDONALD (British Columbia)—I wish to call the attention of the hon. leader of the House to an article touching immigration which is very misleading and cruel. The article states that young women coming out to Canada, after they have served in a house for a certain length of time, can rise at six o'clock in the morning, perhaps prepare breakfast and dinner, and when they have washed up the dishes they can go out lawn tennis playing, riding, swimming or bathing. I do not think any hon. gentleman in this House will say that that is the condition in farm houses in Canada. The worst of it is that the parties referred to in this article as offering such inducements to young girls to emigrate are people in responsible and high positions. This is an English paper, the 'Daily Miller,' and refers to the opening for young women in Canada and states that the remuneration is £36 a year. There are hundreds of women applying for positions in Canada under those conditions. I should like to ask where would the swimming, lawn tennis and bathing come in in winter time? If the government could do anything to counteract the effect of such an article it would be a creditable thing.

Rt. Hon. Sir RICHARD CARTWRIGHT—If the hon. gentleman sends me the paper I will call the attention of the Minister of the Interior to the matter.

THIRD READINGS.

Bill (No. 73) An Act respecting the Grand Trunk Pacific Branch Lines Company.—Hon. Mr. Watson.

Bill (No. 82) An Act respecting the Kettle River Valley Railway Company, and to change its name to "The Kettle Valley Railway Company.—Hon. Mr. Bostock.

GRAIN BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole House on Bill (Q) An Act respecting Grain.

(In the Committee.)

Hon. Mr. EDWARDS—May I be permitted to point out that this Bill is a very large and a very important one, and one such as this House has very seldom had to deal with. In considering such a Bill it is most desirable that expert evidence, or expert information should be obtained from all sides. It involves questions of very great importance to many interests, and it appears to me that, as was the case with the Insurance Bill, it would be desirable to refer it either to the Banking and Commerce Committee, or to a special committee. It is even more important in connection with this Bill than with the Insurance Bill, and as it would be absolutely impossible for that expert evidence or expert information to be given in the Committee of the Whole, I would suggest to the right hon. the leader of the House that the Bill be dealt with as has been suggested.

Rt. Hon. Sir RICHARD CARTWRIGHT—That matter was pretty fully considered by the government, although the questions involved, as the hon. gentleman truly says, are of great importance. They will, however, be found to be very few in number, and what I might call the contentious clauses, judging from the representations made to me by several delegations, will probably be confined to four or five very important clauses—but they involve questions of policy. Under the circumstances, I am sorry to say that I am unable to comply with the request of my hon. friend. It may be found possible that in the House of Commons something of the kind might be done, but in this House we shall be able to discuss it very fully in Committee of the Whole. If questions arise as to any particular clause that any hon. gentleman wishes to discuss at length, I propose to hold the clause over for two reasons; first, that I have no wish to hurry this measure through, and in the next place I see that the leader of the opposition, who is largely interested, is not present. I think we might fairly proceed at present with what I might call the non-contentious clauses. The government are fully aware of the very large and important interests that are effected, and we have been at great pains to obtain all the information we could. I have myself received quite a number of deputations representing various

points of view on this question. In this particular instance we will have to deal with the measure as government Bills are usually dealt with, and proceed with it in Committee of the Whole.

Hon. Mr. EDWARDS—May I ask, in so far as these clauses which the right hon. gentreman says are contentious if an opportunity will be afforded for hearing evidence thereon?

Rt. Hon. Sir RICHARD CARTWRIGHT —That I cannot say; not other than will be afforded by receiving communications from the various parties affected and representations made to members of the government. I cannot undertake that when we go into Committee of the Whole we can hear expert evidence; that would be impossible; but I will undertake that every facility will be given to the interests affected to state their case.

Hon. Mr. EDWARDS—Where and how?

Rt. Hon. Sir RICHARD CARTWRIGHT —They will have to state it to the members of the government, or to such members of this House as are specially desirous of dealing with the question, and these gentlemen can discuss it at any length they please in committee. I may remark to my hon. friend that this is anything but a new question. Commissions have been issued and delegations ad infinitum have been heard. I do not know that he was present, but a good many of the members of this House were present on several occasions when we sat for days and days hearing all the parties. I do not like to refuse what my hon. friend asks. The matter will narrow itself down, in my judgment—and I think he will agree with me when he examines the Bill—to two or three questions of policy. We do not propose to alter the very numerous provisions of the Manitoba Grain Act; the whole alterations that we propose will be contained at the outside in two or three pages, and a large part of those, I think, will be found quite unobjectionable.

Hon. Mr. EDWARDS—I have not studied the Bill very fully, but I came across one clause which I think has never had any precedent in this parliament. It proposes, for instance, that if a man engages in the grain business in Japan or any foreign country, and owns a terminal elevator in this country, he is liable to imprisonment and an enormous fine.

Rt. Hon. Sir RICHARD CARTWRIGHT —That and one or two other clauses are the ones I specially referred to as likely to cause considerable debate, and these we certainly shall not press without giving the fullest opportunity to all parties to be heard.

On subclause 2 of clause 5:

2. The commissioners and the secretary shall reside in the city of Fort William or Port Arthur, in the province of Ontario.

Hon. Mr. YOUNG—If I understand the scope of this Bill, the commission will govern the grain trade from the Atlantic to the Pacific.

Rt. Hon. Sir RICHARD CARTWRIGHT —It may.

Hon. Mr. YOUNG—It may? Is it not positive?

Rt. Hon. Sir RICHARD CARTWRIGHT —Say it will, if you like—practically it will.

Hon. Mr. YOUNG—We had better have a clear understanding on that feature of the Bill, because I understood at the second reading that this commission, when appointed, would govern the grain trade of Canada under the Act from the Atlantic to the Pacific. It is important that we should have that clearly defined now.

Rt. Hon. Sir RICHARD CARTWRIGHT —It may take some time before it extends its operations all the way. My hon. friend will notice that permission is given to acquire and create various terminal elevators, &c., but it is left to the discretion of the board when they shall do it.

Hon. Mr. YOUNG—That feature of the Act I can readily understand, but is the supervision of the grain trade from the Atlantic to the Pacific dependent upon this commission acquiring terminal elevators, say in the eastern inspection division?

Rt. Hon. Sir RICHARD CARTWRIGHT —Not absolutely, because they have very large powers to deal with questions coming up, whether they have declared terminal elevators in all places or not.

Hon. Mr. YOUNG—To what clause does my hon. friend refer?

Rt. Hon. Sir RICHARD CARTWRIGHT —We will see as we go along. Is the hon. gentleman objecting to the residence of the commissioners at Port Arthur?

Hon. Mr. YOUNG—I asked for information. If in the supervision of the grain trade, the jurisdiction of this board is to extend from the Atlantic to the Pacific, it might be important that some one of the commissioners—as in the case of the Railway Commission, which has been subdivided—during the active season should be in the eastern end of Canada so as to be in close touch with the operations of the trade at the eastern end, where we expect so much of the grain will pass through the shipping ports.

Rt. Hon. Sir RICHARD CARTWRIGHT —Look at clause 7. You will see permission is taken for the commission to sit at any other place as the commissioners may determine.

On subclause 2 of clause 5:

2. The commissioners and the secretary shall reside in the city of Fort William or Port Arthur, in the province of Ontario.

Hon. Mr. YOUNG—Clause 7 says the board may hold sittings, under an order in council, at any place. It authorizes them to hold inquiry or to make investigation in any part of Canada. I had in view more the constant supervision, because I take it, it is as important to supervise the grain business in the eastern transfer elevators clean to the seaboard as it is to supervise it at Fort William. That is why I wish it to be made clear that the supervision will not be centred on any one point, because if deterioration takes place after the grain leaves Fort William, surely it must have just as disastrous an effect as it would have if it occurred at Fort William.

Rt. Hon. Sir RICHARD CARTWRIGHT —As a matter of fact and practice, the information that I have received is that so far the deterioration complained of has not only taken place in Fort William and Port Arthur elevators, but has also occurred at some points beyond that. The commission will be expected to acquaint themselves with the facts, and they have power to sit themselves, or send a commissioner to investigate any complaint that may be made.

Hon. Mr. YOUNG—Has the board the same control over the eastern terminal elevators under this Bill as they had over the terminal elevators at Fort William and Port Arthur?

Rt. Hon. Sir RICHARD CARTWRIGHT —They have. They have the power to say what shall be terminal elevators—to create terminal elevators.

Hon. Mr. POWER—What particular necessity is there for stating, as is stated in this subclause, that the secretary and commissioners shall reside in Port Arthur? The conditions of the grain trade may change within a comparatively short time, and it might be found that that was not a convenient place.

Rt. Hon. Sir RICHARD CARTWRIGHT —At the present moment, Fort William and Port Arthur are the places through which the whole of the grain trade of the Northwest is passing.

Hon. Mr. CAMPBELL—I think that is a very good provision, as the minister states. That is where the mixing has taken place and for the present we should insist on the secretary and commissioners living there. That is the headquarters of the grain trade. The commissioners can go to other places as they are required; but we must certainly define some place where they must reside.

Hon. Sir MACKENZIE BOWELL—I do not think there is any question that at the present time Fort William and Port Arthur is the proper place, but there is no power given in the Bill to make a change in case circumstances should arise to warrant it, as has been pointed out by the hon. gentleman from Halifax. It is just

possible that as the trade increases, and other facilities are provided for carrying on the trade, it might be better to have power placed in the hands of the government to change the place of residence if deemed necessary.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would say to my hon. friend that the board have full power to sit anywhere else as they see fit. Subclauses 2 and 3 of clause 7 read as follows:

2. In addition to the sessions of the board to be held at the place so provided the board may when in its opinion it is desirable so to do hold sittings in any place in Canada.
3. The board may authorize any commissioner to hold any inquiry or make any investigation in any part of Canada.

Hon. Sir MACKENZIE BOWELL—What objection would there be to add to the clause 'Or such other place as may be decided on by the Governor in Council?' Then you might change it as you liked.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not know that there would be any objection to that, but it could be done in any event at a future date.

Hon. Mr. YOUNG—I do not think it is a fair statement to say that all the sinners in the grain trade are centred at Fort William and Port Arthur. There may be a few sinners who have strayed into the transfer elevators.

Rt. Hon. Sir RICHARD CARTWRIGHT —Then we can catch them.

Hon. Mr. YOUNG—The only way we can catch them is to watch them.

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman will see that further on in the Bill pretty drastic powers are given the commissioners in that regard.

Hon. Sir MACKENZIE BOWELL—Under this free trade arrangement in wheat and grain which we are promised, the centre of trade may be transferred from Port Arthur to Winnipeg.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is impossible to answer that question at present.

Hon. Sir MACKENZIE BOWELL—If some of our prognostications are correct, the principal grain trade will be in the west rather than in the east.

Rt. Hon. Sir RICHARD CARTWRIGHT —that remains to be seen. I have great faith in the northwest, and I have no doubt the hon. gentleman has.

Hon. Sir MACKENZIE BOWELL—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT —My impression is that, judging from the rate of growth within the last few years, the northwest will require all the avenues east, west and south, except perhaps north. I do not expect we will do much with the Esquimaux, but apart from that region I think we will likely gorge all the avenues we can provide for the transportation of grain.

Hon. Sir MACKENZIE BOWELL—I look forward to the time when a large proportion of it will go by the Pacific.

Hon. Mr. YOUNG—The right hon. gentleman seems to have lost sight of the Hudson Bay railway.

Rt. Hon. Sir RICHARD CARTWRIGHT —But that is northeast.

Hon. Sir MACKENZIE BOWELL—I have not so much confidence in the Hudson Bay railway, I must confess, but I have in the Pacific.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the hon. gentleman is quite right. It is extremely probable that if lines of communication with sufficiently easy grades can be obtained, which is almost a necessity, too, that a large percentage of the grain will find its way to its market by the Pacific.

Hon. Sir MACKENZIE BOWELL—Particularly when the Panama canal is in operation.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Sir MACKENZIE BOWELL—That is why I make the suggestion to give power to the Governor in council to provide that

the commissioners may reside at other places.

Rt. Hon. Sir RICHARD CARTWRIGHT —The power they have to sit elsewhere, I think, for the time, will meet the difficulty.

Hon. Mr. POWER—If circumstances change, it will not be difficult to amend the Act.

The sub-clauses were adopted.

On clause 11,

11. The board shall have such powers and authority as are prescribed by the various sections of this Act.
2. The minister may determine the manner in which any revenue payable under this Act shall be paid into the Consolidated Revenue Fund of Canada, what books shall be kept and returns made in connection therewith, and what security shall be given by the persons employed in the collection or management of such revenue.
3. The board may, with the approval of the Governor in Council, make regulations for and require the registration of terminal warehouse receipts.

Hon. Mr. MACDONALD (British Columbia)—Does this cover my suggestion about inspectors giving security?

Rt. Hon. Sir RICHARD CARTWRIGHT —It would in the case of parties receiving moneys to be paid into the consolidated revenue fund. Where moneys come into their hands, they should have to give such security as may be prescribed; but where they do not collect money, nothing is said in this Bill which would call for furnishing security.

The clause was adopted.

On clause 12,

12. Every officer and employee attached to or under the authority of the board shall be appointed by the minister, and [shall receive such salary or remuneration as is approved by the Governor in Council upon the recommendation of the board; provided that the Governor in Council may authorize the board to make appointments of a temporary character and to fix the remuneration to be paid to temporary officers and employees.]
2. All persons now holding any office or employment under the Manitoba Grain Act, or under Part II. of the Inspection and Sale Act shall be continued in such office or employment or some other office or employment under this Act.

Hon. Sir MACKENZIE BOWELL—Is there any provision in this Bill for a return to parliament of the persons employed and their remuneration?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think there is at the end of the Bill.

Hon. Mr. YOUNG—This clause provides that all persons now employed shall be continued in their employment. I suppose that is subject to the board making changes.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, necessarily.

Hon. Mr. YOUNG—Is that provided for?

Rt. Hon. Sir RICHARD CARTWRIGHT —These parties would be appointed by the minister, and the minister having appointed them, he would have the same power with respect to them as he has with respect to any other officers.

Hon. Mr. YOUNG—But the clause provides that they are to be continued in office.

Rt. Hon. Sir RICHARD CARTWRIGHT —They certainly are not to be exempt from the rules regulating the civil service.

Hon. Sir MACKENZIE BOWELL—These appointments would not be subject to the Civil Service Act. In no other department that I am aware of has the minister the sole power to make appointments and fix salaries. Cases of that kind have always to go before the Treasury Board. Would that be the case under this clause?

Rt. Hon. Sir RICHARD CARTWRIGHT —Where the sums expended are really provided out of the fees, as the hon. gentleman knows, the officials have not been brought under the operation of the Civil Service Act yet, whatever may be ultimately done.

Hon. Sir MACKENZIE BOWELL—Does not this clause give authority and power to the minister to make the appointments and fix the salaries?

Rt. Hon. Sir RICHARD CARTWRIGHT —The salaries are fixed by the Governor in Council, on the recommendation of the board.

Hon. Sir MACKENZIE BOWELL—But this gives the sole power to the minister?

Rt. Hon. Sir RICHARD CARTWRIGHT —To make the appointment; but that is subject to the stipulation in clause No. 2, that, in the first instance, at any rate, officers now employed shall be kept in their offices.

Hon. Mr. YOUNG—That is quite proper.

Hon. Mr. POWER—But would it not be well to add words such as these: 'subject to suspension or removal by the Governor In Council?'

Rt. Hon. Sir RICHARD CARTWRIGHT —Perhaps so. I must pursue in this case the same rule that I have generally followed in connection with government Bills—I will ask my hon. friend to give notice of the suggestion in the shape of an amendment. If he will do that we can consider it. He is aware, no doubt, that there is always a little risk in making amendments before you have gone through the Bill altogether. You may find later on that they have already been provided for.

Hon. Mr. YOUNG—I take it that the persons now employed will be continued.

Rt. Hon. Sir RICHARD CARTWRIGHT —But under the ordinary conditions.

Hon. Mr. YOUNG—And in the same positions?

Rt. Hon. Sir RICHARD CARTWRIGHT —We cannot keep them exactly in the same positions, but we can keep them at the same salaries.

Hon. Mr. YOUNG—But there must be some means by which the board can suspend an officer.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

Hon. Mr. YOUNG—And some person on the board should recommend whatever course is to be followed in every case, and in the appointment of new men as well.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will look into the matter; but my impression is that that power inheres in the government, unless we expressly deprive ourselves of it, as for instance in the case of the Auditor General. I do not think these words in the clause would deprive us of that power.

Hon. Mr. YOUNG—Might not that clause stand, and if it is not provided for elsewhere we can deal with it later?

The clause was allowed to stand.

On clause 14, subsection 2:

2. All railway or steamship companies shall furnish free transportation upon any trains or steamships for members of the board and the secretary, and for such officers and staff of the board as the board may determine with their baggage and equipment.

Hon. Mr. YOUNG—I think it says passenger trains in our Indemnity Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not quite sure of the phraseology used. I do not think it would do them any harm to furnish transportation, even on their freight trains.

Hon. Mr. YOUNG—Railway companies object to carrying passengers on freight trains.

Hon. Mr. KERR—It might be advisable for some officer to travel on a freight train.

Hon. Sir RICHARD SCOTT—Leave it as it is.

Rt. Hon. Sir RICHARD CARTWRIGHT —The railway companies have not objected to this.

Hon. Mr. POWER—I was going to suggest that it might do no harm to qualify this section by providing that the commissioners are to be on the business of the board, and not when they are travelling with their families.

Rt. Hon. Sir RICHARD CARTWRIGHT —Unless you include 'family' under the word baggage and equipment.

Hon. Mr. POWER—If a commissioner was travelling on the Grand Trunk between Chicago and Montreal on pleasure.

Rt. Hon. Sir RICHARD CARTWRIGHT —The various railway companies will be only too glad to accommodate these commissioners if I know anything about their business.

Hon. Sir MACKENZIE BOWELL—I object to the clause altogether. I see no reason why men who have put their money into building steamboats or railways should be compelled to carry anybody free.

Rt. Hon. Sir RICHARD CARTWRIGHT—The only reason that I have heard advanced that carries conviction is that all these companies have received big subsidies from the people of Canada.

Hon. Sir MACKENZIE BOWELL—Those that have been subsidized by the country.

Rt. Hon. Sir RICHARD CARTWRIGHT—That would cover pretty nearly the lot of them.

Hon. Sir MACKENZIE BOWELL—I do not approve of the principle—not even to members of parliament, although I use the privilege myself.

Hon. Mr. YOUNG—The railways are very much interested in the working of our grain business, and it is in their interest that the board should be taken quickly to any point where there might be trouble.

Hon. Sir MACKENZIE BOWELL—If it is in the interest of the country, the country should pay for it.

Rt. Hon. Sir RICHARD CARTWRIGHT—The country has practically paid for it when they gave these companies subsidies which were not earned as they might have been.

Hon. Sir MACKENZIE BOWELL—Some have not earned it at all, yet they got the subsidy.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend will understand the force of this remark; as a rule I would rather not have these commissioners or their officers taking any favours in the shape of passage from railway companies. He knows as well as I do that the railway companies will throw passes at their heads if we do not put in this provision.

The clause was adopted.

On clause 16:

16. The Governor in Council may authorize the minister to construct, acquire, lease, or expropriate for His Majesty any terminal elevator if parliament has granted the money for such purpose.

2. The Expropriation Act shall in any case, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor.

Rt. Hon. Sir RICHARD CARTWRIGHT

Hon. Sir MACKENZIE BOWELL—This is a new clause as I understand it, and it seems to look to the government eventually becoming the owner of terminal elevators. That would be the introduction of a most objectionable principle, and I think the clause ought to be struck out.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would say in reply to my hon. friend, that that power, which is only to be exercised with the full concurrence of parliament, will not be used unless it is found necessary. I can assure him that the difficulty of dealing with this question is very great. I agree with my hon. friend that it is a strong step and a new step; but it will not be resorted to if we can help it. We must take power to get possession of these elevators if we wish to control the passage of the grain and prevent the mixing of it.

Hon. Sir MACKENZIE BOWELL—This would imply the management and carrying on of the business by the government.

Rt. Hon. Sir RICHARD CARTWRIGHT—Undoubtedly. Clauses 16 and 17 belong to the Commons more than to us. I do not desire to deny or diminish or conceal the fact that these are new departures, and a clear case will have to be made out to the satisfaction of the government and public to show that they are warranted in acquiring these expensive elevators. These are money clauses.

Hon. Mr. POWER—Not such clauses that the Senate cannot deal with them.

Rt. Hon. SIR RICHARD CARTWRIGHT—I do not say that, but they will have to be passed by the Commons.

Hon. Mr. POWER—We are dealing with the principle of government ownership of this undertaking, and although that would involve the expenditure of money, still the Senate has the right to deal with the principle.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is true; but I think the government will have to ask for the power.

Hon. Sir MACKENZIE BOWELL—Before subsection 2 passes, I want to put myself on record as against the principle of government ownership of any of these utilities. Experience has taught us that government ownership of railways or any other utility, almost, has resulted in extravagance and various other evils that would not arise if the undertaking were left in the hands of private enterprise. That the government should take power to punish for the infringement of any law I readily concede; but I am opposed to government ownership for the reasons I have advanced. In case this clause passes, and should the government decide upon the purchase or the building of elevators, would they be run by a commission or by government officials?

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman will see by the section that, in all probability, if the government will acquire them they will have to run them.

Hon. Sir MACKENZIE BOWELL—Still more objectionable.

Hon. Mr. DANDURAND—I hardly think the principle involved is accepted or endorsed by this Chamber. There is a declaration that if a case is ever made out, and money is voted by parliament, of course we will then be committed to go one step further. I think the principle will remain to be dealt with when a concrete case is brought before us, and the record is complete. We may then decide, when money is asked for the purpose of implementing this tentative legislation, if it is apropos to proceed further.

Hon. Sir MACKENZIE BOWELL—I must confess I cannot come to that same conclusion. We affirm the principle by the adoption of this clause, and then, if you are to carry out the principle involved, you have to come to parliament for money. The principle having been adopted, it is only a question of getting the money to carry it out.

Hon. Mr. POWER—I think the objection to this clause 16 is somewhat diminished by clause 17, which reads as follows:

17. Upon the construction, acquisition, leasing or expropriation by His Majesty of any terminal elevator, the board shall be charged with its operation and management, and the board may, with the approval of the Governor in Council, make regulations for its management and operation and prescribe a tariff of fees and charges for the use thereof.

That tends to minimize the objection. The elevator is not to be run by the government apparently, but by the board.

Hon. Sir MACKENZIE BOWELL—With the approval of the Governor in Council. The board cannot move, unless they obtain the approval of the Governor in Council.

Hon. Mr. DANDURAND—And after parliament has granted the money.

Hon. Sir MACKENZIE BOWELL—Yes. I understand we are only adopting the principle now.

The clause was adopted.

On clause 20:

20. The board may make rules and regulations either with or without the approval of the Governor in Council as hereinafter provided.

Rt. Hon. Sir RICHARD CARTWRIGHT —This clause replaces section 51 of the old Act.

The clause was adopted.

On clause 21:

21. Subject to changes of boundaries as hereinbefore provided,—
(a) the Eastern Inspection division shall consist of all that portion of Ontario lying east of the city of Port Arthur, and of the provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island; and
(b) the Western Inspection division shall consist of,—
(i) the provinces of Manitoba, Saskatchewan, Alberta and British Columbia;
(ii) the Northwest Territories;
(iii) that portion of the province of Ontario lying west of and including the city of Port Arthur.

Hon. Mr. YOUNG—Section 51 of the old Act covers far more than is contemplated in clauses 20 and 21. It provides for the appointment of chief inspectors and a great many other matters.

Hon. Mr. POWER—Clause 20 is general, and covers everything.

Rt. Hon. Sir RICHARD CARTWRIGHT —We will find the details in regard to those matters further on in the Bill.

The clause was adopted.

On clause 31,

31. In the event of the death, resignation, dismissal or suspension of any inspector, his senior deputy inspector shall perform all the duties of the inspector until his successor is appointed, or until such suspension ceases.

Hon. Mr. BEIQUE—In case of the unavoidable absence of the inspector, the deputy should have power to act.

Rt. Hon. Sir RICHARD CARTWRIGHT —This is exactly the law as it stands. We have not had any difficulty in connection with it.

Hon. Mr. POWER—There is a good deal of force in what has been said by the hon. member from De Salaberry. This provides for cases of death, resignation, dismissal or suspension. Suppose the inspector is ill or cannot for any reason be present, we should provide for his absence.

Rt. Hon. Sir RICHARD CARTWRIGHT —You must, as some learned judge remarked on one occasion, suppose that some little reasonable intelligent discretion will be exercised by the department.

Hon. Mr. BEIQUE—But under this clause as it stands the department would have no power to exercise discretion.

Rt. Hon. Sir RICHARD CARTWRIGHT —The law has been in force for some seven years and no difficulty has been experienced. However, I will note the suggestion of the hon. gentleman.

Hon. Mr. POWER—The law is not intended to provide for cases which arise every day, but for difficulties which may occur once in six months or a year, and it might happen to be a serious question.

Rt. Hon. Sir RICHARD CARTWRIGHT —The board have the power to prescribe the duties assigned to all these officers.

Hon. Mr. YOUNG.

Hon. Sir MACKENZIE BOWELL—But not in the case of the inspector's illness. What objection would there be to adding the word 'illness'?

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think it can do any harm.

Hon. Mr. BEIQUE—Add 'absence or incapacity to act.'

Hon. Mr. THOMPSON—I should think the deputy would have that power as a matter of practice. The fact that he is deputy indicates that.

Hon. Mr. BEIQUE—As the clause is worded, it would exclude the power, because it prescribes when the deputy may act.

Hon. Mr. YOUNG—Clause 27 provides that it shall be the duty of an inspecting officer to inspect grain when called upon to do so. Therefore, if the chief inspector should not be there the deputy could be called on.

Hon. Sir MACKENZIE BOWELL—I think you should add some words to cover the case of unavoidable absence.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no objection to making it clearer, but we have had several years experience and no difficulty has arisen. A contingency might occur.

Hon. Mr. BEIQUE—Let me add the words I have suggested, and if it is found that they are unnecessary or objectionable they can be dropped.

Hon. Mr. YOUNG—If you put in a general term such as 'absence' it may be made an excuse for an inspector who has gone fishing, or something of that kind. Say 'necessary absence.'

Rt. Hon. Sir RICHARD CARTWRIGHT —I shall accept the amendment conditionally. I will consult the Department of Justice as to the language to be used.

Hon. Mr. BEIQUE—I would suggest the words 'or impossibility to act.'

Rt. Hon. Sir RICHARD CARTWRIGHT —You had better put it 'inability to act.'

The clause was amended and adopted.

On clause 33:

33. The chief inspector and the inspectors for the division shall, not later than the first week in October in each year, furnish official standards of grain as established by them under this Act, when requested to do so by any person; and each standard shall be accompanied by a specific statement that it is a sample of the official grade.
2. For all samples so furnished the inspector shall make such charge as is approved by the Board.

Hon. Mr. YOUNG—Has it been found by the department, at so early a date, that there is difficulty in supplying samples of commercial grades?

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think commercial grades come in this. These are official standards and do not correspond with commercial grades. This clause, as we now have it, differs from the existing law, simply by substituting 'Act' for 'Board' in the fourth line and 'Board' for 'Minister.'

Hon. Mr. YOUNG—I know there was some difficulty in buying grain until the Standards Board met. I am not making any objection; I am merely asking for information.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think there has been any difficulty so far. They are not at all backward in presenting their grievances, if they have any.

Hon. Mr. WILSON—It says in that clause 'shall be accompanied by a specific statement.' Is that a sworn statement or merely a statement?

Rt. Hon. Sir RICHARD CARTWRIGHT—If they should make a false statement knowingly they would be subject to dismissal.

Hon. Mr. YOUNG—These standards are made up from inspection.

Hon. Mr. WILSON—I would like to know what the word 'specific' covers in that statement. It must be either a sworn statement or a verified statement.

The clause was adopted.

On clause 35:

35. The members of any such Board shall hold office during pleasure, and each of them before acting as examiner shall take before a commissioner or notary public an oath in the form following or to the same effect:
I, A.B., do swear that I will not, directly or indirectly, personally or by means of any persons in my behalf, receive any fee, reward or gratuity whatever by reason of any function of my office of examiner, except such as I am entitled to receive by law, and that I will therein well and truly, in all things, act without partiality, favour or affection, and to the best of my knowledge and understanding. So help me God.

Hon. Mr. YOUNG—The board should deem he is properly qualified as well as the government.

Rt. Hon. Sir RICHARD CARTWRIGHT—They have put in the word 'Board' as they appoint; that seems reasonable enough.

Hon. Mr. YOUNG—The necessity would arise in the case of a government appointment.

Rt. Hon. Sir RICHARD CARTWRIGHT—Heretofore the Governor in Council made the appointment and the words 'seems necessary' were not included.

Hon. Mr. DAVIS—The board makes the appointment now and certifies to the qualifications of the people it appoints.

On clause 62:

62. The minister may appoint in and for each division a chief weighmaster, whose duties and powers shall be defined by the Board, and may also, in any place where inspection of grain is authorized under this Act, or where is situate any country, public, eastern or terminal elevator, appoint a weighmaster and such assistants as are necessary.
2. Such weighmasters and assistants shall receive such compensation, by fees or otherwise, as is determined by the Governor in Council, upon recommendation of the Board.

Hon. Mr. YOUNG—These weighmasters are to continue in office?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, I presume so.

Hon. Sir MACKENZIE BOWELL—This Act is placing a great deal of power in the hands of the minister and the board.

Hon. Mr. DAVIS—There would not be any use in the Act if it did not.

The clause was adopted.

On clause 68:

68. The fees for the weighing of grain shall be such as are determined by the Board, who

with the approval of the Governor in Council may from time to time increase or reduce them.

Hon. Sir MACKENZIE BOWELL—In clause 68, the fees for weighing grain shall be such as are determined by the board. They do that upon their own responsibility, but the Governor in Council is given power to raise or lower them.

Hon. Mr. YOUNG—The Governor in Council had that power under the old Act.

Hon. Sir MACKENZIE BOWELL—I was pointing out the fact that they have power to establish the fees and then power is given to the Governor in Council to raise or lower them.

Rt. Hon. Sir RICHARD CARTWRIGHT —The board will have to do what the Governor in Council may direct.

Hon. Sir MACKENZIE BOWELL—That is afterwards. I do not particularly object I am merely pointing out that if they are too low or too high the Governor in Council can lower or raise them.

Hon. Mr. DAVIS—After the fees are fixed, if there is any difficulty about them they must get the approval of the Governor in Council to increase or decrease them.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is not desirable to give them absolute arbitrary power without some appeal. Hardship might be inflicted by these parties and we should give a court of appeal some power to alter that.

On clause 71,

71. Every inspector or deputy inspector who, on application to him, made personally or by writing, left at his office on any lawful day between sunrise and sunset, by any owner or possessor of grain, neglects or refuses to proceed forthwith to such inspection, if he is not at the time of such application employed in inspecting elsewhere, shall, for every such neglect or refusal, forfeit and pay to the person so applying twenty dollars, over and above all damages occasioned to the person complaining by such neglect or refusal, recoverable upon summary conviction before any one justice of the peace.

Hon. Mr. CAMPBELL—Would it not be well to amend this clause? A man might be sick or unable to carry out the request.

Hon. Mr. DAVIS.

I think some provision should be inserted so that under such circumstances he would not be liable to a fine.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think he could be fined in a case of inability of that kind. This is an exact transcript of the law as it stands, and I am unwilling to alter it where there are no complaints. I take it that the general principle of the law is that the refusal must be voluntary, not, as one might say, involuntary. If a man is sick or disabled, no penalty would be inflicted upon him. It would not be a case of refusal, but inability to act.

The clause was adopted.

On clause 73,

73. Every person, not thereunto duly authorized under this Act, who in any manner whatever assumes the title or office of inspector or deputy inspector, or issues any certificate purporting to establish the quality of any grain shall for every such offence, on summary conviction, be liable to a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Hon. Mr. YOUNG—Why is the word 'hay' struck out?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think it has not been considered advisable to insert the inspection of hay in this particular Act.

Hon. Mr. YOUNG—There are hay inspectors.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think there are under another Act.

The clause was adopted.

On clause 78,

78. Every action brought against any person for anything done under this Act, or contrary to its provisions, shall be commenced within eighteen months next after the right to bring such action accrued, and not afterwards; and the defendant therein may plead the general issue, and that the thing was done under this Act, and may give this Act and the special matter in evidence at any trial thereof; and if it appears so to have been done, then the judgment shall be for the defendant.

2. If the plaintiff is non-suited or discontinues his action after the defendant has appeared, or if judgment is given against the

plaintiff, the defendant shall recover all costs and have the like remedy therefor as defendants have in other cases.

Hon. Mr. YOUNG—Why is the time fixed at eighteen months?

Rt. Hon. Sir RICHARD CARTWRIGHT—The reason was that certain parties who were clearly proved to be offenders pleaded the six months limitation, and it is often difficult for a period longer than six months to detect the fraud that the Act is intended to prevent.

Hon. Mr. CAMPBELL—It will do no harm.

Hon. Mr. DAVIS—Certainly not.

Hon. Mr. YOUNG—I cannot see why eighteen months should be the time. Six was the limit before.

Hon. Mr. DAVIS—Make it twenty-four.

Rt. Hon. Sir RICHARD CARTWRIGHT—It was six months, and the offender got off on it.

The clause was adopted.

On clause 79,

79. The provisions contained in sections 80 to 84, both inclusive, apply only to the Eastern Inspection division; and apply to all grain grown in that division, to the exclusion of any provisions of this Act inconsistent with them or dealing with like matters.

Hon. Mr. YOUNG—That applies to eastern inspection division. If you read 79 carefully you will see the provisions in clauses 80 and 84 apply only in the eastern division, and apply to grain grown in that division to the exclusion of any provisions inconsistent with them or dealing with like matters. Take the transfer elevators on this side of the lake, they are dealing with grain which comes from the western provinces, and that grain is not grown in that inspection division; therefore, if they are coming under the jurisdiction of the board they should come under the same supervision and government that occurs at Fort William. Consequently this should be provided for by the definition on the face of it in section 79. Take clause 80 in connection with it:

80. All grain shipped from any eastern elevator shall be shipped out as graded into such elevators by the inspecting officers.

I am not clear that the grain is graded in at present, and I think possibly this would be a good opportunity to adjourn the further consideration of the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—We will stop at clause 78.

Hon. Mr. YOUNG—I am asking to have the same rules and supervision govern the eastern elevators as govern the handling of our western grain.

Hon. Mr. DAVIS—If it is good for the goose it should be good for the gander.

Hon. Mr. YOUNG—Yes. I want the eastern men to be made as honest as possible.

Hon. Mr. BOSTOCK, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

The motion was agreed to.

SECOND READINGS.

Bill (Z) An Act to incorporate the Canadian Surety Company.—Hon. Sir Richard Scott.

Bill (No. 63) An Act to incorporate the British Columbia and Dawson Railway Company.—Hon. Mr. Bostock.

RESTIGOUCHE RIPARIAN ASSOCIATION BILL.

SECOND READING POSTPONED.

The order of the day being called:

Second reading (Bill A-1) An Act to incorporate the Restigouche Riparian Association.—Hon. Mr. Casgrain.

Hon. Mr. THOMPSON—This Bill has caused a little unrest in the mind of lumbering operators on the River Restigouche. The Bill emanates from very respectable and prominent gentlemen in Montreal and New York, asking for an incorporation of their rights in the fishing privileges on that river, and I desire to inform the House that I have read a telegram——

Hon. Sir RICHARD SCOTT—Let the Bill stand.

The order of the day was allowed to stand.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

THURSDAY, March 9, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

CANADIAN NORTHERN BRANCH LINES COMPANY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (81) An Act to incorporate the Canadian Northern Branch Lines Company, with amendments.

He said: The first amendment deprives the company of the power to sell stock below par. The second amendment has reference to issuing debentures on all other property of the company but the railway. The third amendment is limiting the power of the company to purchase stock in other companies except those companies in which they are interested as a railway company. I move that the amendments be considered to-morrow.

The motion was agreed to.

OBLIGATIONS OF CARRIERE-LAINE COMPANY.

MOTION.

Mr. LANDRY moved:

That an order of this House do issue for a return of copy of the contract entered into between the Bank of Montreal and the People's Bank of Halifax, in 1905, in connection with the financial situation and with the obligations of the firm of Carrière-Lainé, a copy of which contract was handed over to the government at the time of the financial transactions concluded between the Bank of Montreal and the government in 1909.

The motion was agreed to.

TENDERS FOR CARRIERE-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Before renting to the Canadian Shoe Machinery Company, a portion of the Carrière-Lainé property, which it had just purchased from the Bank of Montreal, did the government open the renting of this property to competition, by giving notice that it would invite tenders for this purchase.
2. If tenders were called for when were they called for and by whom?
3. If tenders were not called for, what is the reason therefor?
4. When did the Canadian Shoe Machinery Company apply for the rental of this property?
5. When did the government grant this application?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1 and 2. No.

3. Did not consider that any others could utilize the property.

4. February 9, 1909.

5. April 2, 1909.

EDUCATION ORDINANCES IN NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the commissioner in council of the Northwest Territories been authorized to enact ordinances on the subject of education?
2. When was such an authority given to the commissioner in council of the Northwest Territories.
3. By whom was it given?
4. Has the commissioner in council or the commissioner enacted any ordinance on the subject of education?
5. When and of what kind.
6. Has copy of said ordinance been transmitted to the Governor General in Council?
7. When?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are as follow:

1. No.

2 and 3. Answered by No. 1.

4. No.

5, 6 and 7. Answered by No. 4.

ACQUISITION OF CARRIERE-LAINE PROPERTY.

Hon Mr. LANDRY inquired:

The Senate having, on the 22nd April last, given an order to lay upon the table of this

House a copy of all the correspondence exchanged between the government, the Departments of Justice and Public Works, and all other persons, upon the subject of the acquisition &c., of the Carrière-Lainé property at Lévis, may it be expected that the Departments of Justice and of Public Works, whom this order specially concerns, will make it their duty to order their agents at Quebec, Messrs. Vien and Décarie, to furnish without further delay a complete copy of their correspondence on this subject with their respective departments or with other persons?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no further information than I gave the hon. gentleman yesterday; but he can let the inquiry stand until Tuesday, and perhaps the department may have something further to say.

The inquiry was allowed to stand.

BILLS INTRODUCED.

Bill (R-1) An Act to incorporate the Ontario Railways Company.—Hon. Mr. Gibson.

Bill (S-1) An Act for the relief of Ethel May Hornell.—Hon. Mr. Derbyshire.

Bill (T-1) An Act for the relief of Pauline Verona Meyer.—Hon. Mr. Campbell.

SECOND READINGS.

Bill (B-1) An Act for the relief of Maggie Florence Sadler.—Hon. Mr. Davis.

Bill (C-1) An Act for the relief of Gertrude Maude Grant.—Hon. Mr. Derbyshire.

Bill (D-1) An Act for the relief of George Addison Brown.—Hon. Mr. Derbyshire.

Bill (E-1) An Act for the relief of Mary Hamilton Johnston.—Hon. Mr. Derbyshire.

Bill (F-1) An Act for the relief of Dalton Mabel Stapleton.—Hon. Mr. Derbyshire.

Bill (G-1) An Act for the relief of Lorne Forbes Robertson.—Hon. Mr. Watson.

Bill (H-1) An Act for the relief of Cecil Ernest Freeman.—Hon. Mr. Campbell.

Bill (No. 77) An Act respecting the National Weekly Indemnity Company, and to change its name to 'The Merchants and Employers Guarantee and Accident Company.'—Hon. Mr. David.

Bill (No. 56) An Act to incorporate the Hudson Bay Mortgage Corporation.—Hon. Mr. Ross (Moosejaw).

Bill (No. 91) An Act to incorporate the Pacific and Peace River Railway Company.—Hon. Mr. Bostock.

Bill (I-1) An Act respecting the Baptist Convention of Ontario and Quebec.—Hon. Mr. Derbyshire.

Bill (J-1) An Act to incorporate the Canadian Baptist Foreign Mission Board.—Hon. Mr. Derbyshire.

RESTIGOUCHE RIPARIAN ASSOCIATION BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (A-1) An Act to incorporate the Restigouche Riparian Association.

Hon. Mr. THOMPSON—Before the motion is carried, I think it is important that I should draw the attention of the House to some objections, not to the second reading but to some views that have been expressed by the lumber interests on the Restigouche river. They do not object to the incorporation desired by the gentlemen whose names appear on the Bill, who are very prominent and respectable gentlemen of Montreal and New York. They desire to incorporate their interests in that section for the purpose of having a fishing reserve, and to secure riparian rights. Probably nowhere in Canada can there be found better fishing, or a better spot than the Restigouche river for purposes of this kind. There are two or three sections in the Bill that have attracted the attention of the lumber interests operating in that district, and they have wired a member of the House of Commons.

Hon. Mr. POWER—If my hon. friend will permit me to interrupt, he will have noticed that the right hon. leader of the House has said that any Bill which is contentious would not be allowed to be proceeded with to-day.

Hon. Mr. THOMPSON—This Bill is not contentious.

Hon. Mr. POWER—I was going to make a suggestion that it might be better if he would allow the objections to the Bill to be considered by the committee.

Hon. Mr. THOMPSON—I think it is advisable that the House should be put in possession of the facts in respect to the Bill. It will only take me a moment.

Hon. Mr. LANDRY—The hon. gentleman has no right to discuss the details of the Bill.

Hon. Mr. THOMPSON—I am not touching on the details of the Bill. I desire to read a telegram that was sent to a member of the House of Commons. It is as follows:

122. The proprietor, lessee or manager of any incorporating Restigouche Riparian Association in behalf ourselves and all lumber mills on Restigouche with annual capacity hundred and twenty five million feet and employing four thousand to five thousand men annually in the mills and woods we respectively beg that same be postponed until we can see its provisions and that you examine with great care and see that the lumber industry is fully protected and that no powers destructive of the same either in regard to driving logs or installing booms, shear booms or piers be given to fishermen seeking this incorporation. Understand paragraph No. 2 is altogether too broad, and might enable them by passage of a by-law to order our booms removed, and bring about impossible conditions and should contain a clause as follows: 'Nothing however to be done any time inimical to established custom and usage of the lumber interests on the river.' Otherwise than this we have no objection whatever. Please confer with Reid and Marcil, Shives Lumber Co. Ltd., Dalhousie Lumber Co., Ltd., Wm. Richards Co. Ltd., Bearinger and Chapin, W. H. Miller, B. A. Mowat, Chaleur Bay Mills.

All I desire to call the attention of the House to is that time should be given so that this matter can be fully discussed, and that the lumber interests may be fully advised in order that the matter shall be properly dealt with.

Hon. Sir RICHARD SCOTT—What is the date of the telegram?

Hon. Mr. THOMPSON—March 7, and is signed by Shives Lumber Company, Limited, Dalhousie Lumber Company, Limited, Wm. Richards Company, Limited, Bearinger & Chapin, W. H. Millar, D. A. Mowat, Chaleurs Bay Mills.

Hon. Sir RICHARD SCOTT—We should wait until we hear from them again by letter. It seems to me that these gentlemen are applying for incorporation on a river that is now used for the transportation of lumber. The telegram is sent by parties who are interested in a locality in which they state that this Bill will interfere with their rights. I think we should give them time to write to any member, and that we shall hear them before the Bill goes to the second reading.

Hon. Mr. CASGRAIN—A number of gentlemen in Montreal have fishing rights on this river, and they are simply asking permission to form an association and not to get any power. I understand that the Bill has been posted outside for a week, and the second reading should take place today. Surely a week ought to be sufficient time for these gentlemen to secure information. We do not propose to proceed in committee without the interested parties being heard, and the hon. gentleman can notify them.

The motion was agreed to.

UNIVERSAL LIFE ASSURANCE COMPANY OF CANADA BILL.

COMMONS AMENDMENTS CONCURRED IN.

Hon. Mr. POWER, in the absence of Hon. Mr. Coffey, moved concurrence in the amendments made by the House of Commons to Bill (P) An Act to incorporate the Universal Life Assurance Company of Canada.

He said: I shall briefly explain the amendments. The title of the Bill as it was sent down to the Commons was 'The Universal Life Assurance Company of Canada.' The Commons propose amending the title by substituting 'Capital' for 'Universal,' and it will be the Capital Life Assurance Company of Canada.

The second amendment is in clause 1, lines 14 and 15. They strike out 'in the district of Hochelaga.' It read 'Charles J. Doherty, of the city of Montreal, in the district of Hochelaga.' There is no district of Hochelaga, and the Commons propose to strike out these words.

The third amendment is at the end of the first clause, where the title, 'The Universal Life Assurance Company of Canada,' occurs. They strike out the word 'Universal' and substitute the word 'Capital.'

The last amendment is in the third clause, which provides that the capital stock of the company shall be one million dollars and may be increased to two million dollars. The Commons amends that clause by striking out the words 'which may be increased

to a million dollars ' and leave it just one million dollars.

The motion was agreed to, and the amendments were concurred in.

GRAIN BILL.

(In Committee.)

The House resumed in Committee of the Whole the consideration of Bill (Q) An Act respecting Grain.

On clause 107, ' Grades in Manitoba division.'

Hon. Mr. YOUNG—Have any complaints been made?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department has not received any.

Hon. Mr. DAVIS—There is a new grade of wheat known as ' the Preston,' grown in the west, for which no provision is made in these grades.

Rt. Hon. Sir RICHARD CARTWRIGHT —Our attention has not been called to that.

Hon. Mr. YOUNG—I fancy it would be well to call attention to new varieties of wheat that are gradually being produced here and there in the Northwest. Some of them have more or less merit, and it would be well for the department to make milling tests of these wheats to determine their value, and some time in the near future the Inspection Act may be so amended as to give them their proper grading according to merit.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend is right, and that is one of the special duties to be assigned to this board.

Hon. Mr. YOUNG—I suppose they will be supplied with proper means of making tests?

Rt. Hon. Sir RICHARD CARTWRIGHT —They will have full authority to employ experts and make such tests as may be required.'

Hon. Mr. YOUNG—I am very glad to hear that, because as the House very well knows, our wheat growing area is extending rapidly in the west. In the new districts some varieties are thought to bring better results than others and it is very desirable that the fullest value they are entitled to should be given under the Inspection Act. The Inspection Act should include them so that the advantages may accrue to the producer as soon as possible, thereby encouraging new settlers.

Hon. Mr. DAVIS—In our part of the country, the farmers are going largely into growing Preston wheat, because it is considered ten days earlier than other wheats, and it is claimed that it is just as good and that it sells to local dealers at the same price as other wheat, although it has no place in this Act. I quite agree with the hon. member from Killarney that there should be an investigation to ascertain its value before placing it under the Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —That will be specially among the duties that I propose to assign to these commissioners.

Hon. Mr. YOUNG—There is another feature about this wheat growing in the west which is worthy of notice. Old settlers say that they have grown wheat year in and year out on the same soil, and find that it improves the grain, increasing its hardness, owing to climatic conditions. That is particularly noticeable in our Fyfe wheat; therefore a test which is good for one year might not be a fair one for the next year. The tests should be made yearly so that any improvement in quality would be noted.

Hon. Mr. DAVIS—I take it for granted from what the right hon. leader of the House says, that the board will be appointed before this year's crop is marketed. We can do nothing with the crop of last year. I suppose if it is to be graded, they can get the advantage for that class of wheat?

Rt. Hon. Sir RICHARD CARTWRIGHT —As soon as it is tested. I should like

to know if the quantity of wheat produced in successive crops has remained equal, or has it diminished? The general impression is that if you grow wheat on the same soil year after year it deteriorates.

Hon. Mr. YOUNG—That may be very true unless the soil is exceptionally rich. On the principle of a bank account, if you keep drawing from it, and putting nothing in, the account is bound to diminish; but in the Northwest we have started with a very large bank account in the fertility of the soil.

Rt. Hon. Sir RICHARD CARTWRIGHT—I hope you will keep up your bank account, because we have the example of the western states before us. They started with a large bank account of rich soil, and it has now gone down frightfully.

Hon. Mr. YOUNG—That is true; but our soil is more retentive. We shall be careful anyway and not meddle with the grades in any season, because, as one can readily understand, it would affect contracts and have far reaching effects. I would advise against any tinkering with the grades during the season.

Hon. Mr. DAVIS—I see No. 1 hard wheat is described as 'Manitoba.' I wish to draw attention to the fact that Saskatchewan to-day is producing more hard wheat than Manitoba—more than double the quantity.

Rt. Hon. Sir RICHARD CARTWRIGHT—I believe that is so; but I think we had better not interfere with it. I have laid down the general principle that I would not interfere with the old Act until these commissioners were at work, and had a chance to examine into the details.

Hon. Mr. YOUNG—You would have extreme confusion in contracts if you did otherwise.

The clause was adopted.

On clause 109,

109. The provision made in the following sections for the establishment of standard samples for grain of United States production shall not apply to corn, but corn of United States production shall be inspected to the definitions provided in section 105 of this Act.

Hon. Mr. POWER—The expression 'Inspected to the definitions' is very peculiar. Would it not be better to insert 'according' before the words 'to the definitions'?

Hon. Mr. YOUNG—It means graded up to that standard.

Rt. Hon. Sir RICHARD CARTWRIGHT—I dare say my hon. friend is right. We will insert the word 'according.'

The clause was amended and adopted.

On clause 122,

122. The proprietor, lesse, or manager of any terminal elevator shall be required, before transacting any business, to procure from the board a license, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the law.

2. The license shall be issued by the board upon written application, which shall set forth the location and name of such elevator and the individual name of each person interested as owner or manager thereof, or if the owner or manager of such elevator is a corporation, the name of the corporation and the names of the president, secretary and treasurer of such corporation.

3. Such license shall give authority to carry on and conduct the business of a terminal elevator in accordance with the law.

4. Such license shall be revocable by the board upon a summary proceeding before the board upon complaint of any person, in writing, under oath, setting forth the particular violation of law, and upon satisfactory proof in that behalf to be taken in such manner as is directed by the board.

5. The annual fee for such license shall be two dollars.

Hon. Mr. YOUNG—The question to be decided by the board under subclause 4 is a question of law. Under the Act providing for the appointment of our Railway Commission, an appeal is allowed on questions of law. Would it not be well to consider whether such a provision should be made here, because it might be a very serious matter to take away a license, for instance from the Canadian Pacific railway terminal elevator, or the Canadian Northern railway, or the Grand Trunk Pacific, which are very costly constructions. In the nature of things, the board would be experts in the matter of handling grain, but they might not be so expert on deciding a question of law.

Rt. Hon. Sir RICHARD CARTWRIGHT

Rt. Hon. Sir RICHARD CARTWRIGHT —I will look into the question, and if my hon. friend thinks it would be desirable to make any alteration there, would he kindly put it in writing, so that I may have it considered by the proper officers. I am not quite clear as to what the words 'violation of law' mean. A good many interpretations might be given to them. I do not think it would be deciding a disputed point of law.

Hon. Mr. YOUNG—It might be worth while considering whether we should not incorporate in this particular clause a provision similar to that enacted with reference to the Railway Commission, because there is a great deal involved in it.

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman has used the illustration with reference to the possibility of shutting up of one or more elevators, which brings up an important question. The board are to be invested with very large discretionary powers, involving and including, as hon. gentlemen will see at a later stage, the power of shutting up an elevator if they find just cause. These very rich corporations, as my hon. friend well knows, have enormous powers of delay, and one of the reasons for clothing the board with this summary power is to prevent their taking the case from pillar to post and from court of appeal to court of appeal, thus, perhaps, delaying the judgment of the board for four or five years.

Hon. Mr. YOUNG—That would not be desirable, and if in the meantime the elevator was shut up, I can see where the terminal elevator man or the company, as the case may be, would have a very great interest in having his case decided as soon as possible, because the board in the meantime would close his elevator.

Rt. Hon. Sir RICHARD CARTWRIGHT —As I understand, the hon. gentleman would not give the board power to close an elevator until the case was decided after appeal. The point is deserving of attention, and I will make a note and confer with the department about it.

Hon. Mr. POWER—I do not remember now the exact wording of the Act with reference to appeals from the railway board; but in order to meet the objection made by the hon. leader of the House, if an appeal is granted to the court, it should be provided that there shall be only one appeal, and that the decision of the court to which the appeal was made shall be final.

Hon. Mr. BEIQUE—The provision of the Railway Act would hardly apply to the case suggested, because the chief railway commissioner is a lawyer, and of course is possessed of a knowledge of the law, and he is given power to allow an appeal, or to refuse leave to appeal. In this case, what the grain commissioner is called upon to decide under the Bill is merely whether the provisions of the Act are respected in operating the elevator. It is a question of fact rather than a question of law, and I doubt the advisability of providing for an appeal.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have taken a note of it. What the hon. gentleman from De Salaberry says, I think, is right.

The clause was adopted.

On clause 123:

123. No person owning, managing, operating or otherwise interested in any public terminal elevator shall buy or sell grain or be interested in any other form of storage of grain.

2. This section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator used or operated in connection with any flour mill situate at the same terminal point as such elevator: Provided however, that such elevator shall be subject to such restrictions and regulations as are from time to time imposed by the board with the approval of the Governor in Council.

Rt. Hon. Sir RICHARD CARTWRIGHT —I call special attention to this clause for this reason; it is a clause of very great importance, as everybody will see who reads it, and a clause as to which several hon. gentlemen have expressed their desire to be heard, and, I believe, my hon. friend the leader of the opposition in particular. I propose to suspend consideration of it until we have his assistance. It is a clause on which I take it for granted a very considerable and prolonged discussion will take place, and I

would rather proceed with the non-contentious clauses than have two or three discussions on this one.

The clause was allowed to stand.

On clause 242:

242. Every person is guilty of an offence and liable on summary conviction to a penalty of not less than five thousand dollars and costs and not exceeding twenty thousand dollars and costs and to imprisonment for any term not exceeding two years, who—

(a) while owning, operating or being otherwise interested in any terminal elevator buys or sells or is a shareholder in a company which buys or sells grain in Canada or elsewhere or who is individually or as a shareholder in a company interested in the storage of grain otherwise than in a terminal elevator: Provided, however, that no person shall be deemed to be interested in a terminal elevator in consequence of his being a shareholder or otherwise interested in any railway company owning or operating a terminal elevator;

(b) Mixes different grades of grain while such grain is stored in any terminal elevator;

(c) Makes any untrue statement (with respect to anything required by this Act) as to the receipts or shipments into or out of any terminal elevator or as to the quantity, kind or grade of grain in store in a terminal elevator.

2. If any corporation is convicted of an offence under this section, every officer of such corporation and every person interested in or employed by the said corporation who had any part or share in the commission of such offence, shall also be personally liable to the said penalties.

3. Any terminal elevator in respect of which or in which any offence mentioned in this section has been committed shall not be licensed or operated for a period not exceeding one year in the discretion of the board after the conviction of the person committing the offence.

Rt. Hon. Sir RICHARD CARTWRIGHT —For the same reason that I held up clause 123 I will let 242 stand. They can be more conveniently considered together.

Hon. Mr. YOUNG—Does the right hon. gentleman expect to hear from somebody?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have had intimation that I would hear from some parties about it; perhaps my hon. friend knows something about it. I have an idea that it is slightly contentious.

The clause was allowed to stand.

Rt. Hon. Sir RICHARD CARTWRIGHT —Before the chairman reports, I would ask my hon. friends opposite, and my hon. friends on this side what time they would like to have these two sections considered?

Hon. Sir MACKENZIE BOWELL—If it is put off until Tuesday the leader of the opposition will be here by that time, I think.

Hon. Mr. POWER—Before the committee rises: hon. gentlemen will remember that when clause 12 was under consideration, I suggested an amendment. This was the amendment; and I do not see that there is any particular necessity for any reference with respect to it. 'In clause 12 add to subclause 2 the words 'subject to suspension and removal in the same manner as if appointed after the passing of this Act.'

Rt. Hon. Sir RICHARD CARTWRIGHT —The only objection I take to that is, it appears to me that the power of removal is inherent in the government, or in the commission. You simply submit a general principle.

Hon. Mr. POWER—No, because the objection to this subclause was that these people are given apparently a permanent tenure of office by the statute, and the Governor in Council cannot go contrary to the statute. This sub-clause provides that all persons now holding any office or employment under the Manitoba Grain Act, or under part 2 of the Inspection and Sale Act, shall be continued in such office or employment, or some other office or employment under this Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —I see my hon. friend's point. It strikes me that they could not be continued except under the conditions on which they now hold, which conditions are that they are removable at pleasure

Hon. Sir MACKENZIE BOWELL—Would it not be better for the hon. gentleman to hand that amendment to the right hon. leader of the House and allow him to consider it, as this clause stands for further consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will send this to the Department of

Justice. It does not in any way increase the tenure of office. It does not alter the terms on which the present office is held. It merely provides that a man now in office shall be continued, and that, I think, implies on the same conditions as are now held. It is an interesting point.

Hon. Sir MACKENZIE BOWELL—Would that amendment appear in the 'Minutes' as a notice of motion?

Rt. Hon. Sir RICHARD CARTWRIGHT—I am going to consult the Department of Justice on it.

Hon. Mr. POWER—The House will be put into committee on it again.

Hon. Mr. CAMPBELL—When shall this Bill be taken up again?

Rt. Hon. Sir RICHARD CARTWRIGHT—On Tuesday, if convenient to the gentlemen who desire to be heard.

Hon. Mr. CAMPBELL—I think it would be better to defer it to a later date, because there is a great deal of opposition to these two clauses.

Rt. Hon. Sir RICHARD CARTWRIGHT—What date would the hon. gentleman suggest?

Hon. Mr. CAMPBELL—Not later than Thursday.

Hon. Mr. DANDURAND—Did I understand the right hon. gentleman to say we were going into a special committee?

Rt. Hon. Sir RICHARD CARTWRIGHT—No. We shall have a full discussion of these important clauses when we resume, and if Thursday will suit the leader of the opposition, I have no objection to name Thursday.

Hon. Mr. WATSON—I am inclined to think for the convenience of people interested in this Bill that it would be better to have it at an earlier date. It was suggested that we should have a special committee in the Senate and that was objected to by the hon. gentleman who has charge of the Bill. There are a number of gentlemen here from quite a long distance who are interested in this Bill, and I understand it is the intention to have it referred to a special committee in the House of Commons. Therefore the earlier date we send the Bill to the Commons the better.

Hon. Mr. BEIQUE—It would be much more satisfactory if we had more thoroughly discussed the Bill in this House, and I regret that we did not try to persuade the right hon. leader as to the advisability of referring these clauses to a special committee. We have been complaining that we have very little legislation in the Senate. We have this important measure before us, and, from what I see now, this Bill in its important aspects will be threshed out in the House of Commons before a special committee, and we will send this Bill to them without going thoroughly into it. I think it would have been better if we had heard from the parties interested in writing or 'viva voce' if we are to deal with the Bill on its merits.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would say to the hon. gentleman, that while it is a very important Bill, and while it is also true that it contains a very large number of provisions, there are but two clauses in it, the two that I have named, which involve a question of principle, more than questions of detail, and this House has in it, without further taking expert testimony, a number of gentlemen who are well able to discuss the question of policy, and to give all the information that even my hon. friend would desire upon it. Practically speaking, the discussion will turn, as I think he will see if he reads these two clauses, on the policy of allowing parties having other interests to operate terminal elevators. That is a question on which I am sure he will find there are hon. gentlemen here who are able to present the case very fully. We considered that matter when it was brought up by my hon. friend opposite, and I considered it also with the government. I do not think it would be desirable to have two distinct special committees at this period of the session, if there is any hope of getting away in time for the coronation, which my hon. friend might also desire to see. I think very full oppor-

tunities will be given for discussion. I do not desire to hurry the matter.

Hon. Mr. POWER—I do not know whether the right hon. gentleman heard what the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) stated. He said there were several gentlemen anxious to be heard, and that it would be much more convenient for those gentlemen that the matter should be settled here on Tuesday, and that the earlier date would suit their convenience a great deal better. I do not see anything to be gained by postponing it to a later date, and with respect to the point raised by the hon. gentleman from De Salaberry (Hon. Mr. Beiqué), there is this to be borne in mind: that this Bill is, as the minister in charge has told us, substantially a re-enactment of the existing law, with the exception of these two clauses. The other new clauses are simply formal.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not entirely.

Hon. Mr. POWER—They are clauses as to which there would not be any difference of opinion. The government are responsible for the measures which they introduce here, and it is not the practice in any legislative body where the government are dealing more particularly with a measure which is not a new one, to refer it to a select committee. The regular rule is that the Bill goes before the Committee of the Whole House. If there are a great many details, and the measure is very complicated, it may be convenient to send it to a select committee; but not in the case of a measure like this. These two important clauses can be considered next Tuesday, after the parties interested have been heard by the government, and by members who are interested in the matter, in a very satisfactory way.

Hon. Mr. EDWARDS—This House is responsible for its own acts in so far as legislation is concerned, and each individual member is responsible. We are dealing with this question, and we do not want to transfer our responsibility to any other body. It appears to me that there are matters of very special interest to be dealt with. It would, therefore, be highly desirable that every member of this Chamber should hear from specialists on this question. If I may suggest the idea, it would be, not that a special committee be appointed, but a committee composed of the whole House, sitting where you please, in this Chamber or anywhere else, but constituted in such a way that outsiders may have an opportunity of addressing the committee. I do not like to cast reflections, but what has transpired so far in relation to the Insurance Bill is sufficient to warrant us in saying that in so far as an intricate Bill is concerned, I would rather have a difficult Bill disposed of in this House than by any other Chamber in Canada, and not refer it to the Commons at all. I cannot see any reason for suggesting that a special committee in another Chamber is to dispose of the measure, and that we are simply to let it go to be considered in that way.

Hon. Mr. POWER—We cannot control the actions of the other House.

Hon. Mr. EDWARDS—I want to urge on the right hon. leader of the House as strongly as I can the desirability of dealing with the matter in its entirety in this Chamber, and sending the Bill to the other House in such a shape that it will be final.

Hon. Mr. KERR—The plan adopted on a previous occasion in this Chamber in dealing with the Co-operative Bill could be followed with advantage in a case like the present one. There were large deputations, and a number of persons appeared here to discuss that measure. Instead of the Bill going to a special committee, the House dealt with it in Committee of the Whole; but instead of hearing the parties interested in Committee of the Whole, a time was named for part of the day, about the same time as a special committee sat, and the delegations were all heard, so to speak, at the Bar, but really on the floor of the House. Every interest connected with that measure pro and con was heard. The whole House was practically sitting in committee and listening.

Rt. Hon. Sir RICHARD CARTWRIGHT —That was not a government Bill.

Hon. Mr. KERR—But it was a Bill of very large public interest, and it was found to be a very advantageous way of obtaining the evidence which the Senate desired. If that plan could be adopted with the present measure, the delegates could be heard; we could have the stenographers present to report proceedings and every senator could be in his place, or as convenient as he could be to the table.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think my hon. friend is confounding the case of new Bills with Bills that have been thoroughly threshed out and considered. No Bill has ever passed parliament which has been so thoroughly considered or longer debated, and on which both sides have been more fully heard than the same Manitoba Grain Act. As I have already observed, there are but two clauses which are really contentious. They involve an important question of public policy and not very minute details. The government are responsible for that policy, and they will have to bear the brunt if they make any mistake about it. In any case, we had better have a full discussion in committee of the whole on this question. If it should then appear that there is such dispute about matters of fact that members have difficulty in coming to a conclusion, I will confer with my colleagues in regard to the suggestion made as to hearing people at the bar of the House. But we cannot delay too long. I think we should have our own debate here. I have more confidence in the ability of my colleagues to discuss this measure than my hon. friends opposite appear to have. I do not think we shall find any great difficulty in discussing the clauses 123 and 242. But if there were questions of fact which required the hearing of evidence we could consider them; but let us have our debate first.

Hon. Sir MACKENZIE BOWELL—Did I understand his honour the Speaker to suggest bringing experts to the bar of the House to give us information? That strikes me as something unprecedented. The only instance within my recollection of bringing people to the bar of the House was when some charge was made against them. It seems to me it would be highly improper to open this Chamber to outsiders on discussions of this kind. We should fully discuss the merits and demerits of the Bill and the principles involved in it, and not bring outsiders to the bar of the House to tell us what the practice is. It is very easy for any member to seek information, and it is equally necessary that those who are not acquainted with the actual working of the Bill should seek information from those who have experience in carrying on the business of grain warehouses under the terms of the Grain Act; but it seems to me it would be highly objectionable to bring outsiders to the bar of the House to discuss questions of this kind. I do not desire my remarks to apply to the appointment of a special committee, if the government thinks proper to appoint a committee, and to meet in the committee room and discuss the principles involved in the Bill in the same manner as they would have done in reference to the Life Insurance Bill.

Hon. Mr. YOUNG—The discussion hinges upon two clauses, 123 and 242, which involve a new principle in the handling of grain, and, no doubt, will provoke a good deal of discussion, and there may be a great difference of opinion. There is another phase of the matter which has not been touched upon, and which may be worthy of consideration, and that is the new conditions which may arise under our new trade arrangements in both countries, when they come into force. While it is true that the great majority of the clauses which we have passed have been in our statute-book for years, and have been argued and discussed time and again on former occasions, yet there is a matter that we shall have to consider very seriously, and that is its relation to the new conditions which arise should these trade arrangements come into effect. I have in view the preservation of as much of our trade as possible to the Canadian routes, and it would be, to my mind, the plain duty of parliament to see that the Canadian route was not handicapped in any way, shape or form, in the handling of grain in favour of the southern route. That is one important

feature which has not been touched upon at all.

Hon. Mr. EDWARDS—A very serious feature.

Hon. Mr. YOUNG—Yes, and whether we agree or disagree on many things, I think we all agree on this principle, that there should be no handicap whatever in the handling of grain by those who desire to ship and prefer to ship by the Canadian route. I am not going to discuss the effect of the reciprocity agreement; I am merely calling attention to that feature of it which will be an important one, and which will have to be dealt with very carefully with a view that no such handicap should exist against our Canadian route and Canadian dealers.

Hon. Mr. KERR—I think the hon. gentleman misunderstood what I said. My suggestion was not that these parties should be heard at the bar, but I said, as if it were at the bar. I cited a case in which that was done before. It is quite true that that measure was introduced as a private Bill, although a public Bill of great importance. It is quite true that Bill had passed the House of Commons, and it was here that the evidence was received and heard, and the matter was dealt with. The Bill was rejected, although it had passed the House of Commons after having been considered by a committee there. I see no reason, therefore, why such a plan of informing the members of this House should not be adopted in this case, if it is necessary to get information in order to deal intelligently with the matter. If we have not the necessary information now, and the government take the responsibility of the Bill, as they will have to, wherever it is dealt with, I do not see any reason why we should not take that evidence here. We are told there is going to be a special committee to take evidence in the House of Commons.

Rt. Hon. Sir RICHARD CARTWRIGHT—We do not know anything about their special committees as yet. It may or may not be done.

Hon. Mr. YOUNG.

Hon. Mr. KERR—Then it is for the government to say whether, as they will have to take the responsibility of the Bill finally here, they will take it now without hearing anything further, or whether they will go on with it in the way that has been suggested.

Hon. Mr. BOSTOCK, from the committee reported that they had made some progress with the Bill, and asked leave to sit again on Tuesday next.

The report was adopted.

BILL INTRODUCED.

Bill (32) An Act to incorporate the Sterling Trust Corporation.—Hon. Mr. Douglas.

The Senate adjourned until 2.30 o'clock to-morrow.

THE SENATE.

FRIDAY, March 10, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

RESIDENCE OF JUDGES.

INQUIRY.

Hon. Mr. LANDRY inquired:

Who are among the judges of the Superior Court of the province of Quebec, those whose place of residence is fixed by the commission appointing them, and what is, for each of these judges, the place so fixed?

2. Who are the judges whose place of residence has been fixed or changed by order in council, and what is for each of these judges, the place of residence now fixed?

3. Who are the judges whose place of residence has never been fixed, neither in the commission nor by any subsequent order in council, and what is the judiciary district to which they were appointed?

Rt. Hon. Sir RICHARD CARTWRIGHT—I am advised that, with regard to the residence of Superior Court judges of Quebec, there are forty judges, and the matter would be therefore more properly the subject of a return than a question. It would take some time to gather this information, so

that my hon. friend had better move for a return, or else wait for a few days, and they will endeavour to get the information required. Which will the hon. gentleman do?

Hon. Mr. LANDRY—I suppose if I turn it into a notice for an order of this House I will be compelled to wait a few days, so I had better put it in now as an order, and, in the meantime, if the officials want to give me a surprise, they might answer before the order comes down.

Rt. Hon. Sir RICHARD CARTWRIGHT —Very good. I will suggest that to them.

Hon. Mr. LANDRY inquired:

1. Has the government received, directly or indirectly, through its agents in Quebec, complaints from Railway or Ocean Navigation Companies, against the sale, by Jacques Dery, restaurant keeper, to immigrants, of special bread not having the weight required by law?
2. When were these complaints received?
3. When did they receive the government's attention?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply is that they have not received any, which, of course, answers the whole three questions.

Hon. Mr. LANDRY—I suppose that might be taken as a hint that they might inquire?

TRANSCONTINENTAL RAILWAY COMMISSION.

INQUIRIES.

Hon. Mr. LANDRY inquired:

What Act or section of an Act can the Transcontinental Railway Commission invoke for the expenditure of $17,026.25, on the spur line from the Quebec bridge to the city of the same name?

1. What amount has been paid, up to date, for the right of way on each of the railways (a), (b), (c), described in section 4 of chap. 177 of 3 Edward VII.?
2. How much remains to be paid to complete the purchase of the right of way on each of the above mentioned railways?
3. Besides the sum paid and to be paid for the right of way, what is the amount of expropriation expenses already paid and the probable expropriation costs, on each of the abovementioned railways?
4. Besides the abovementioned railways are there any other lines starting from or near one of the ends of the bridge of line *A*, on which work has been done?
5. What are these lines?

Rt. Hon. Sir RICHARD CARTWRIGHT —No. 4 refers to the Transcontinental railway. They are endeavouring to obtain details of that, and the same as to No. 5. They have been telegraphing for information, but have not yet received it.

The inquiries were allowed to stand.

THIRD READINGS.

Bill (No. 88) An Act respecting the Bay of Quinte Railway Company.—Hon. Mr. Jones.

Bill (No. 89) An Act respecting the Canadian Northern Quebec Railway Company.—Hon. Mr. Lavergne.

Bill (B-1) An Act for the relief of Maggie Florence Sadler.—Hon. Mr. Davis.

Bill (C-1) An Act for the relief of Gertrude Maud Grant.—Hon. Mr. Derbyshire.

Bill (D-1) An Act for the relief of George Addison Brown.—Hon. Mr. Derbyshire.

Bill (E-1) An Act for the relief of Mary Hamilton Johnston.—Hon. Mr. Derbyshire.

Bill (F-1) An Act for the relief of Dalton Mabel Stapleton.—Hon. Mr. Derbyshire.

Bill (G-1) An Act for the relief of Lorne Forbes Robertson.—Hon. Mr. Watson.

Bill (H-1) An Act for the relief of Cecil Ernest Freeman.—Hon. Mr. Campbell.

SECOND READINGS.

Bill (No. 101) An Act respecting the Huron and Ontario Railway Company.—Hon. Sir George Ross.

Bill (No. 105) An Act to incorporate the Imperial Steamship Company.—Hon. Mr. Thompson.

Bill (No. 106) An Act to incorporate the Lake Erie and Northern Railway Company. —Hon. Mr. Thompson.

Bill (K-1) An Act to incorporate the Hudson Bay, Peace River and Pacific Railway Company.—Hon. Mr. DeVeber.

Bill (L-1) An Act to change the name of the Manitoulin and North Shore Railway Company.—Hon. Sir George Ross.

Bill (M-1) An Act to incorporate Lloyd's Casualty Company of Canada.—Hon. Mr. McHugh.

Bill (N-1) An Act to incorporate the Pacific and Hudson Bay Railway Company.— Hon. Mr. Bostock.

Bill (O-1) An Act to amend and consolidate the Acts relating to the Harbour of Toronto.—Hon. Mr. Jaffray.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, March 14, 1911.

The Speaker took the chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (U-1) An Act to incorporate the North West Loan Co. (Hon. Mr. Watson).

Bill (V-1) An Act respecting the Alaska and Yukon Railway Co. (Hon. Mr. Bostock).

CREATION AND OBJECTS OF CONSERVATION COMMISSION.

INQUIRY.

Hon. Mr. CAMPBELL inquired:

1. When was the Conservation Commission created?
2. What was the object and purpose of such a commission?
3. Who are the members of the commission, and where do they reside?
4. Who is the chairman and secretary?
5. How many meetings have they held and what work have they done?
6. For what length of time are they appointed and when does their term expire?
7. What amounts have been paid each of them for salary, expenses and disbursements?
8. Are they provided with offices and a staff of clerks? If so, where are the offices and how many clerks are provided?
9. What has been the total cost of the commission since it was appointed, including rent of offices, salaries, travelling expenses and all other expenses?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. By an order in council, dated September 3, 1909, the personnel of the Commission of Conservation was determined.

2. Section 10 of the Act establishing the commission stated that,—

It shall be the duty of the commission to take into consideration all questions which may be brought to its notice relating to the conservation and better utilization of the natural resources of Canada, to make such inventories, collect and disseminate such information, conduct such investigations inside and outside of Canada, and frame such recommendations as seem conducive to the accomplishment of that end.

3. The members of the commission are as per list attached.

4. Hon. Clifford Sifton is chairman, and James White, secretary.

5. The first and second annual meetings were held in Ottawa, January, 1910, and Quebec, January, 1911, respectively. Other meetings of the executive committee and of the committees of the commission have been held at inervals since the organization for work at the first annual meeting. Respecting the work that has been done, it is included in the first annual report, issued last summer, and in the second report now in the press, copies of which will be sent to each member and each Senator as soon as received from the printers.

6. By Section 2 of the Conservation Act, the twenty members, appointed by the Governor in Council, hold office during pleasure.

By Section 3,—

The Minister of Agriculture, the Minister of the Interior, the Minister of Mines and the member of each provincial government in Canada who is charged with the administration of the natural resources of such province shall be ex-officio members of the commission.

These ex-officio members are members of the commission during the tenure of their respective offices.

7. By Section 9 of the Conservation Act,—

No fees or emoluments of any kind whatever shall be received by the chairman or other members of the commission, but they shall be repaid their actual reasonable disbursements incurred in travelling to, returning from, and remaining at meetings of the commission. The chairman shall be paid any similar disbursements incurred in travelling or otherwise attending to the work of the commission. Before any such payment is made a statement shall be rendered by the member of the commission to whom payment is to be made, which statement shall be certified by the secretary and countersigned by the chairman, and thereafter payment may be made out of any moneys appropriated by parliament for the purpose of the commission.

It is further provided by section 4 of the amending Act, passed by the House of Commons, April 8, 1910, that,—

The members of the commission, when attending meetings of the committees of the

commission, shall be repaid their actual reasonable disbursements incurred in travelling to, returning from, and remaining at meetings, or attending to the business thereof.

Therefore, no salaries have been paid to any commissioner. The following sums have been paid to specified members of the commission, being disbursements when attending meetings of the committees or of the commission, and, in the case of the chairman, disbursements for travelling expenses and otherwise attending to the commission:—

Hon. C. Sifton	$427 00
Dr. W. J. Rutherford	317 30
Mr. John Henry	287 60
Mr. F. Davidson	266 80
Hon. W. C. H. Grimmer	221 20
Hon. J. H. Howden	200 00
Mr. W. B. Snowball	198 00
Hon. P. E. Lessard	184 30
Dr. Howard Murray	170 00
Dr. C. C. Jones	157 75
Dr. H. M. Tory	157 20
Dr. Geo. Bryce	131 10
Mr. J. F. MacKay	118 50
Hon. F. L. Haszard	107 41
Dr. B. E. Fernow	103 00
Hon. J. A. Calder	87 50
Hon. A. K. Maclean	83 85
Hon. Benj. Rogers	77 60
Dr. H. S. Béland	54 00
Mr. A. S. Goodeve	40 00
Mr. C. A. McCool	29 00
Mr. F. D. Monk	22 00
Dr. Jas. W. Robertson	21 35
Hon. F. Cochrane	20 00
Hon. Jules Allard	11 00

Although Messrs. Lessard and Goodeve are not members of the commission they were accredited representatives of the governments of Alberta and British Columbia, respectively.

8. The commission is provided with offices at 14 Metcalfe Street, Ottawa. The staff consists of the secretary, 7 technical officers and 8 clerks.

9. The total expenditure of the commission, exclusive of rent of offices, has been $49,179.15 to February 28, 1911. Rent of offices per annum, $2,760.00.

LIST OF MEMBERS, COMMISSION OF CONSERVATION, CANADA.

Chairman—Hon. Clifford Sifton

Members—

Hon. Benjamin Rogers, Lieutenant Governor of Prince Edward Island, Charlottetown, P.E.I.

Dr. Howard Murray, Dalhousie University, Halifax, N.S.

Mr. Frank Davison, Bridgewater, N.S.

Dr. Cecil C. Jones, Chancellor, University of New Brunswick, Fredericton, N.B.

Mr. William Snowball, lumber merchant, Chatham, N.B.

Mr. Henry S. Béland, M.D., M.P., St. Joseph de Beauce, Que.

Mr. Frederick Debartzch Monk, K.C., D.C.L., M.P., Montreal.

Dr. J. W Robertson, C.M.G., chairman, Technical Education Commission, Ottawa, Ont.

Sir Sandford Fleming, K.C.M.G., chancellor, Queen's University, Ottawa Ont.

Hon. Senator William Cameron Edwards, Ottawa, Ont.

Mr. Edmund Boyd Osler, M.P., governor, University of Toronto, Toronto, Ont.

Mr. Charles Arthur McCool, lumber merchant, Ottawa, Ont.

Mr. J. F. Mackay, business manager, the 'Globe,' Toronto, Ont.

Dr. Bernard E. Fernow, dean, Faculty of Forestry, University of Toronto, Toronto, Ont.

Rev. Dr. George Bryce, University of Manitoba, Winnipeg, Man.

Dr. W. J. Rutherford, Deputy Commissioner of Agriculture and Member of Faculty, University of Saskatchewan, Regina, Sask.

Dr. H. M. Tory, President, University of Alberta, Edmonton, Alta.

Mr. John Hendry, lumber merchant, Vancouver, B.C.

Members, ex-officio—

Hon. Sydney Fisher, Minister of Agriculture, Ottawa.

Hon. Frank Oliver, Minister of the Interior, Ottawa.

Hon. William Templeman, Minister of Inland Revenue and of Mines, Ottawa.

Hon. Francis L. Haszard, K.C., President, Premier, and Attorney General, province of Prince Edward Island, Charlottetown.

Hon. A. K. MacLean, Attorney General of the province of Nova Scotia, Halifax.

Hon. Ward Chipman Hazen Grimmer,

Surveyor General, province of New Brunswick, St. Stephen.

Hon. Jules Allard, Minister of Lands and Forests, province of Quebec, Que.

Hon. Frank Cochrane, Minister of Lands, Forests and Mines, province of Ontario, Toronto.

Hon. J. H. Howden, Provincial Secretary, province of Manitoba, Winnipeg.

Hon. James Alexander Calder, Commissioner of Education, Provincial Treasurer, and Railway Commissioner, province of Saskatchewan, Regina.

Hon. Arthur L. Sifton, Premier, Minister of Education, and Provincial Treasurer, province of Alberta, Edmonton.

Hon. William R. Ross, Chief Commissioner, Lands and Works, province of British Columbia, Victoria.

COMMITTEES OF THE COMMISSION OF CONSERVATION.

Committee on Fisheries, Game and Fur-Bearing Animals—

Hon. F. L. Haszard, chairman; Hon. Frank Cochrane, Hon. W. C. H. Grimmer, Hon. J. H. Howden, Hon. A. K. Maclean, Dr. Howard Murray, Hon. W. R. Ross.

Committee on Forests—

Senator W. C. Edwards, chairman; Mr. Frank Davison, Dr. B. E. Fernow, Hon. Frank Oliver, M. W. B. Snowball, Mr. John Hendry and the ex-officio members of the commission who represent the various provinces.

Committee on Lands—

Dr. J. W. Robertson, chairman; Dr. George Bryce, Hon. Sydney Fisher, Hon. Benjamin Rogers, Dr. W. J. Rutherford, and the ex-officio members of the commission who represent the various provinces.

Committee on Minerals—

Dr. H. S. Béland, chairman; Mr. John Hendry, Hon. W. Templeman, Dr. Howard Murray, and the ex-officio members of the commission who represent the various provinces.

Committee on Press and Co-Operating Organizations—

Mr. J. F. Mackay, chairman; Hon. Jules Allard, Dr. George Bryce, Dr. Howard Murray, Dr. H. M. Tory.

Committee on Public Health—

Mr. E. B. Osler, chairman; D. H. S. Béland, Hon. J. A. Calder, Sir Sandford Fleming, Dr. Cecil C. Jones, Hon. Sydney Fisher.

Committee on Waters and Water-Powers—

Mr. F. D. Monk, chairman; Hon. Jules Allard, Hon. Frank Cochrane, Hon. W. C. H. Grimmer, Mr. C. A. McCool, Hon. W. R. Ross.

OPIUM PROHIBITION BILL.

ORDER OF THE DAY DISCHARGED.

The order of the day being called:

House again in Committee of the Whole on (Bill 97) An Act to prohibit the improper use of opium and other drugs.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Minister of Labour, who originated this Bill, has asked me to allow it to stand until to-morrow, as he wants to suggest some slight alteration. I therefore move that the order of the day be discharged, and that it be made the first order of the day after third readings to-morrow.

The motion was agreed to.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (R) an Act to amend the Chinese Immigration Act.

(In the Committee.)

On clause 3:—

3. Section 4 of the principal Act is hereby repealed.

Explanatory note.—The present section defining the term 'merchant' has not, in recent years, been found sufficient. The definition will be further restricted by the Governor in Council under clause 4, sub-clause 5 (a). See explanatory note thereto.

Hon. Mr. BOSTOCK.—Is clause 4 to be replaced by the definition of the word merchant in the next clause?

Rt. Hon. Sir RICHARD CARTWRIGHT —The object of this is to prevent the word merchant being abused. A number of people who have not really a claim to the license, but who have associated themselves together, have caused the department a lot of trouble.

Hon. Mr. BOSTOCK—Does the right hon. leader of the House think he will be able to do it under this clause?

Rt. Hon. Sir RICHARD CARTWRIGHT—By repealing this clause and fixing a better definition of what a merchant is in a subsequent clause.

Hon. Mr. BOSTOCK—Under clause 4, the age of the merchant is raised to 21. Is not that going to make it easier for them to get in than before?

Rt. Hon. Sir RICHARD CARTWRIGHT—Not in the case of substantial merchants. We do not want to interfere, and I do not suppose my hon. friend wants to interfere with legitimate trading on the part of merchants. He is aware that the Chinese merchants are often wealthy. The current opinion is that their word is really as good as their bond. We have to admit the genuine merchant and his family. We want to exclude all other parties who, under the guise of being merchants, are coming in and who are really nothing better than coolies or ordinary servants. We propose to regulate that by strict regulations made by the Governor in Council. It is almost impossible to draft sufficiently strigent regulations or put them in an Act of parliament.

The clause was adopted.

On sub-section 7 of clause 4:—

7. Every person of Chinese origin, irrespective of allegiance, shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or place of entry, or at such other place as hereinafter provided, a tax of five hundred dollars, except the following persons who shall be exempt from such payment, that is to say:

(a) members of the diplomatic corps and other representatives of the government of China, their suites and their servants.

(b) Consuls general, consuls, and consular agents, their suites and their servants.

(c) The wives and children of the persons mentioned in paragraphs (a) and (b) of this subsection.

Explanatory note.—Paragraphs (a), (b) and (c) are unchanged, except that the suites and servants of consuls and consular agents are added to the exempt classes.

Hon. Mr. POWER—It has always seemed to me that a tax of $500 was excessive. I think a tax of $200 would be ample. I do not suppose we can change it.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is very fair argument, but the policy has been settled after a great deal of discussion, and I am afraid I could not hope to change it.

The sub-section was adopted.

On sub-section (e):—

(e) Any person who being over twenty-one but under thirty years of age and the son of a merchant, comes to Canada for the purpose of becoming an active partner in his father's business, or of taking charge of that business if his father has died.

Explanatory note.—This is a new provision. The argument has been advanced that Chinese merchants, either being too old to carry on their business or dying in Canada, could not leave such business to be carried on by a minor son. Minor sons of merchants only are free.

Hon. Mr. BOSTOCK—I would like to ask why the age was raised. Has there been any particular request that the age should be raised?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes there were a good many requests about it. When Chinamen die here, their families experience considerable hardship from the fact that they are not able to bring in members of the family, who are in China, and who could carry on the business satisfactorily. We have had several such cases brought before us.

The sub-section was adopted.

On subsection (h):—

(h) Any person who—

(i) in or under the control or direction of any educational body of good standing in China, such as a university, an educational guild, a board of education, high school, a mission college, or the like, pursues a regular course of study in some one, or more, of the higher branches of learning as recognized in Canada;

(ii) has pursued studies qualifying him for entrance to, or otherwise required in the practice of, some profession, or to some calling in which special mental training, whether scientific, technical or otherwise, is necessary;

(iii) having had a liberal education, is studying some special subject, such as art, science, litehature, manners, customs, institutions, politics, history, or the like;

And who arrives in Canada and claims exemption on any of the grounds mentioned in this paragraph.

If such person is not able to establish his right thereto, and pay the tax of five hundred dollars or any part thereof, he shall be entitled to a refund of the amount paid if, within two years and six months from the date of his arrival, he produces to the chief

controller such evidence as is required by regulations made under this Act that he has has been for at least two years, and that he is at the time of the application for the refund a bona fide student in attendance at some university, college, school or other educational institution in Canada; and any such regulation may define the universities, colleges, schools and other educational institutions to which the provision for refund shall apply.

Explanatory note.—Under paragraph (h) Chinese students possessing an advanced education, are to be exempt from the capitation tax. At present they are required to pay the tax, and may obtain a refund after one year at a university in Canada.

Under paragraph (h) Chinese students unable to prove their status may obtain a refund after attending the ordinary schools for a period of two years. Under the present law they are not entitled to any refund.

Hon. Mr. LOUGHEED—May I ask my right hon. friend is it the meaning of the clause that a Chinaman attending an educational institution in this country for two years, and at the time of making the application for the refund is attending a university or one of the higher colleges; is such a person to come within this clause?

Rt. Hon. Sir RICHARD CARTWRIGHT—I think he would.

Hon. Mr. LOUGHEED—It is couched in somewhat ambiguous language.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman is aware that quite a considerable number of Chinamen of good standing in their own country have lately been coming to the United States and Canada, and we desire for obvious reasons to rather encourage this class.

Hon. Mr. LOUGHEED—I think the design is an excellent one.

Rt. Hon. Sir RICHARD CARTWRIGHT—The United States government went the very remarkable length of declaring that a large part of the indemnity which was due to them by China, should be set apart for the express purpose of allowing Chinese students of this kind to come to United States institutions. I think you will find that this will enable us to do the same thing.

Hon. Mr. LOUGHEED—The spirit which it has in view cannot be very well carried out owing to the phraseology of the section; that is to say a student who has been attending for two years any one of the higher educational institutions must make his application for a refund while he is a student of one of these institutions. He can leave the next day.

Rt. Hon. Sir RICHARD CARTWRIGHT—He would require to have attended for two years.

Hon. Mr. LOUGHEED—At the time of application for the refund he must have put in two years, and he must yet be a student of the university or institution. He could leave the next day. If he made the application the day after he left the university he would not be entitled to it.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think my hon. friend may trust John Chinamen's business habits, whether he be a student or merchant, to make the application in good time.

Hon. Mr. LOUGHEED—I quite appreciate the ingenuity of the Chinese to surmount obstacles of this kind. We should not try to develop that class of ingenuity which so characterizes the Chinamen.

Rt. Hon. Sir RICHARD CARTWRIGHT—We shall take pains to see that it is not abused.

Hon. Mr. LOUGHEED—May I ask why this discrimination should be made that admission should be granted only to the wives of the classes mentioned in sub-sections (d) to (j). It seems to me it would not be an unwise policy, and it would be in the interest of morality if the wives of all Chinamen who have become entitled to enter Canada should be admitted free into the Dominion.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not prepared to question the wisdom of that suggestion, but while I think so, it is a pretty broad question, and might involve a good deal of consideration.

Hon. Mr. LOUGHEED—Yes, but we criticise very often and very harshly the alleged immorality of the Chinaman.

Rt. Hon. Sir RICHARD CARTWRIGHT—No doubt we do.

Hon. Mr. LOUGHEED—And at the same time we put on the statute-book an absolute restriction against a Chinaman who has paid the head tax bringing his wife into Canada, or having the advantages that other nationalities possess of establishing domestic life. I fancy those people are just as susceptible to the desire for domestic life as any other nationality, and yet we suppress it.

Rt. Hon. Sir RICHARD CARTWRIGHT —What does the hon. gentleman suggest?

Hon. Mr. LOUGHEED—It seems to me that any Chinaman who pays the tax for coming into Canada, should have a right to bring his wife, or to go to China and marry there and bring out his wife with him.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is very considerably extended by the exemptions.

Hon. Mr. LOUGHEED—But not to the class of people we desire to reform.

Rt. Hon. Sir RICHARD CARTWRIGHT —My own inclinations, I may tell my hon. friend, are in that direction, but as it is a matter of some considerable importance, I would rather reserve a decision until we come to the third reading. By that time I will have had an opportunity to confer with my colleagues in the council as to widening the exemption. There is a great deal to be said for it, I must admit, but let me understand what my hon. friend has suggested. It is that from and after the passage of this Act any Chinaman who has paid the $500 tax shall be permitted to bring his wife in free?

Hon. Mr. LOUGHEED—All Chinamen who have a right to come into Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT —All Chinamen who have a right to come into Canada without paying the capitation tax are exempt under this clause.

Hon. Mr. LOUGHEED—You are providing for the classes that are not required to pay the capitation tax.

Rt. Hon. Sir RICHARD CARTWRIGHT —You think it should be extended to all Chinamen.

Hon. Mr. LOUGHEED—The scope should be extended to permit every Chinaman who comes to Canada to bring in his wife free.

Hon. Mr. MACDONALD (British Columbia)—That would be right if the wives are known to be bona fide wives, but the trouble would probably be that the women brought here in many cases would be mistresses and not wives at all. We have in British Columbia many excellent men who have wives and children, and are models of industry and honesty and everything that is good. Of course you find in all communities some immorality, among white people as well as among Chinese; and if bona fide wives could be allowed to come in it would go a great way to improve the morality of the people. I would be derelict in my duty if I did not tell the right hon. gentleman who leads the House how useful Chinamen are in our province. There is a great deal of work in the canning factories, in fishing, in gardening, in lumbering and in many other ways which could not be done without Chinese labour. Between union labour and strikes it is almost impossible to get work done at any reasonable cost by white labour. There are thousands of families in Vancouver and Victoria who could not live there to-day without Chinese labour. There are ladies who cannot do their own housework, and who could not stay in the country without Chinese labour. The cost of such labour has been increased. Formerly you could get a Chinaman at $25 a month; now you cannot get one for less than $45. The high prices of white labour and the short hours are well known to Chinamen, and they take advantage of it. Coming back to the Bill, I am glad to see that it is a little more lenient than previous legislation has been. Students and other classes of Chinese have privileges given them by this Bill. Although we want Chinamen, it is necessary to have a restriction on their admission to the country, and the trouble is to know where to draw the line. I think it is a monstrous thing in this age to have a tax of this kind on people with whom we trade, who load our ships with cargoes of silk and products of all

kinds, making a trade which the whole world is reaching for. All nations of Europe and America are reaching for the Chinese trade, yet when they come to our shores we treat them like dogs. Boys knock them down whenever they have the opportunity. They are a wonderful people Supposing they said to us: 'You cannot enter our country without paying $500 head tax', it would serve us right. What would we do if they did that? We would destroy their villages with guns from our ships. I want to pay this tribute to the Chinese labour if it is kept within bounds: the province of British Columbia could not do without it at present.

Hon. Mr. DANDURAND—Are there many marriages between Chinamen and white women?

Hon. Mr. MACDONALD (British Columbia)—I think there are some, and Japanese also.

Hon. Mr. DANDURAND—They marry white women, do they?

Hon. Mr. MACDONALD (British Columbia)—We find worthless white girls who will marry anybody, even a negro as black as the ace of spades, as long as he is a man.

Hon. Mr. THOMPSON—I do not know how you would be able to tell for certain if the Chinaman made application to bring in his wife, whether the party coming out was his wife or not. It is a novel proposition, but I do not see any objection to it. We find the west willing to open the door for them now, although years ago they were clamouring to have them shut out altogether.

Hon. Mr. CLORAN—If my memory serves me correctly, when the right hon. leader of the House introduced this Bill I deemed it my duty to put a question to him, and it was this: If a Chinaman having been in Canada for a year or more would have a right to send to his own country for a wife. My memory tells me that the hon. gentleman said yes, and I think his answer will be found in the records—that when a Chinaman had resided here for two or three years and found it to his domestic and moral advantage to have a wife of his own kind brought over from China, that that woman could come in free. The question was put very clearly, and was very distinctly answered by the right hon. leader in the affirmative.

Hon. Mr. LOUGHEED—That would be a mistake, because he would not have that right.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may say to the hon. gentleman that my reply had reference to the case of Chinamen born in Canada getting wives in their own country; but it was limited to that.

Hon. Mr. CLORAN—I accept the explanation of the right hon. leader of the House, but if he would refer to the record he would find that his answer was more general. I put the case in this way: A Chinaman comes to Canada and resides in the country 5, 6, 7, 8, 9, or 10 years. His sole object is to make money, go home and marry, and raise a family, and my question was: if instead of forcing that Chinaman to remain here for years to amass a fortune that would enable him to go home and take a wife, in the meantime he could send for one, and I distinctly remember the answer was, yes, that the Chinaman could bring over a woman as his mate or wife. However, I may be mistaken. If the hon. leader did not go as far as that, as he states now, I say he should go that far. We have a vast number of Chinamen in Montreal, and they are as honest and moral as men of any other nationality. We should give the Chinaman every opportunity to lead a moral life. It is not a question of increasing Chinese immigration. Canada has no right to prevent a Chinese resident from living a moral domestic life. He owes it to society, and if the object of this law is to prevent him from doing so, then I shall be against it, because it would be contrary to our moral law. Chinamen have been coming here for the past 30 or 40 years and are not able to marry white women, except in a few cases, their object being to earn enough to take them home to China and secure a wife there. Why not give them the opportunity in Canada? Why put a tax on the heads of those who are going to be their mates for the remainder of their

lives? I feel this from a fatherly point of view, because, after all, the Chinamen are men as we are, and are entitled to a home and family as much as we are, and this great free country has no right to counteract the decree of Divine Providence to go forth and multiply.

Hon. Mr. DOMVILLE—How many wives is a Chinaman to be allowed to bring in? He is not by his law tied down to one wife.

Hon. Mr. CLORAN—The hon. gentleman puts a very pertinent question. Under Canadian law the Chinaman would be entitled to as much as a Canadian, no more.

Hon. Mr. DOMVILLE—Only one?

Hon. Mr. CLORAN—Yes.

Hon. Mr. DOMVILLE—What is he going to do with the others?

Hon. Mr. CLORAN—He leaves them behind in China. They are all abandoned—but he will protect the one in Canada and hold her as his wife as long as she lives.

Hon. Mr. DOMVILLE—Then you are going to degrade all the other women.

Hon. Mr. CLORAN—They cannot be any more degraded than they are by our law as it is, because we stop the Chinaman from bringing even one of them here. If we permit the Chinaman to bring one woman to Canada as his wife she would be protected.

Hon. Mr. DOMVILLE—Supposing he gets tired of one and sends her back and brings another, what are you going to do?

Hon. Mr. CLORAN—If I had the experience of my hon. friend in such matters I could answer him along that line. I am simply answering for Canadian law, and that only recognizes one wife in the household, no matter how many you may have on the outside.

Hon. Mr. POWER—I quite concur in what was said by the leader of the opposition as to the propriety of admitting wives of Chinamen. With respect to the point that was made by the hon. gentleman from New Brunswick, I suppose that any difficulty that would arise with respect to the proof of the matter would be settled by regulations to be made by the Governor in Council.

Hon. Mr. WILSON—Is there any necessity for the Governor in Council having power to make regulations if the Act is already in force? Why does the Governor in Council require power in this Act to make the regulations that they speak of here? We do not believe in governing the country by orders in council and regulations of the Governor in Council. Would the hon. leader explain why it is necessary that they should take this power? Why not make the law as they require it at the present time and leave it in that way?

Rt. Hon. Sir RICHARD CARTWRIGHT—My department has had for many years a great deal to do with John Chinaman. His qualifications, as enumerated by one hon. gentleman, in many respects are extremely valuable and good, but he is also an ingenious personage and we have a very great deal of trouble in defining what a merchant might be, or for that matter, other persons who are admitted under this Act, and clauses that we have been able to draw heretofore have not in all cases been sufficiently explicit to prevent the Chinaman from finding loop holes and getting through them. By giving this power to the Governor in Council I think we shall have a chance of seeing that no person comes in as a merchant who is not really a bona fide merchant. That is the object of the clauses.

On clause 5.

5. The following section is inserted immediately after section 14 of the principal Act:

14a. Whenever the question of the right to be in Canada is raised in the case of any person of Chinese origin who has been arrested or apprehended, or is believed to have been smuggled into Canada or to have entered Canada without having complied with the requirements of the law respecting such a person, the burden of proof of such right shall rest upon such person.

Explanatory note.—Clause 5 is a new provision. By it the burden of the proof of the right to be in Canada is placed upon any Chinese person whose status is questioned, and who claims that he has entered Canada legally. At times the inability of the Crown to convict Chinese who have been smuggled into Canada has been a source of continual

trouble, notwithstanding the fact that circumstantial evidence strongly pointed to their guilt.

Rt. Hon. Sir RICHARD CARTWRIGHT—The explanation is that from the close resemblance of one Chinaman to another we have had a great deal of trouble about obtaining convictions of Chinamen, although there was not the slightest doubt they were coming in illegally, and we now require that the onus of providing that he is the proper person should rest on the Chinamen coming in.

On clause 6.

6. Section 21 of the principal Act is repealed and the following is substituted therefor:

21. The person so registered shall be entitled to free entry on his return to Canada, or, if on his return to Canada he has paid the tax or any part thereof, to receive from the controller the amount so paid if,—

(a) his return is within twelve months of his registration under section 20 of this Act; or,

Rt. Hon. Sir RICHARD CARTWRIGHT—This is just giving a little further latitude to Chinese who have been obliged to go to China, to establish the right to return. I would just say to my hon. friend the leader of the opposition that I have taken into serious consideration the proposition that the wives of Chinamen who have paid the capitation tax shall be allowed to come into Canada without further tax. But it is one of these questions which is not absolutely without difficulty, and before finally deciding it I will have to confer with my colleagues. I shall bring the matter under their notice.

Hon. Mr. LOUGHEED—I will put it to my right hon. friend that the charge usually brought against Chinamen, and which has probably created more indignation in the community than any other is that they have engaged, very largely, in debauching white women. How can it be expected that there will be immunity from immorality of that kind so long as the Chinese women are excluded? It would be very much better that they should have the opportunity of debauching their own women than Europeans, particularly white women in the confines of Canada. I fail to understand why any bad results would flow from permitting their women to come into Canada without the imposition of the head tax. It would permit of the Chinaman becoming assimilated very largely to our own institutions. He would be able to establish himself in domestic life and he would feel himself a fixture on this continent rather than a temporary resident without any interest in the community. There are so many considerations in its favour that it appeals to one as a very desirable proposition.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is a matter which my hon. friend well knows is a question of policy, and as to which there has been a great deal of discussion and dispute. By the time we bring this measure up for the second reading, I shall be prepared to state the decision of the government on it.

Hon. Mr. LOUGHEED—I do not see that the labour unions can raise any question, and it is largely a question of the labour unions keeping these people out.

Hon. Mr. BOSTOCK—I think their own laws are very much against their women coming over here. If I understand the Chinese law, they do not like their women to emigrate from their own country, and they are inclined to put as many obstacles as they can in the way of women coming over. As far as I am personally concerned, I would go so far as to say that no Chinaman should be allowed to land on the shores of Canada unless he brought his wife with him. I think the difficulty arises with regard to the emigration of women on their own side.

Hon. Mr. ROY, from the committee, reported the Bill without amendment.

SECOND READINGS.

Bill (R 1) An Act to incorporate the Ontario Railways Company.—Hon. Mr. Gibson.

Bill (S 1) An Act for the relief of Ethel May Hornell.—Hon. Mr. Derbyshire.

Bill (T 1) An Act for the relief of Paulina Verona Meyer.—Hon. Mr. Campbell.

Bill (32) An Act to incorporate the Sterling Trusts Corporation.—Hon. Mr. Douglas.

INSPECTION AND SALE ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (Q-1) An Act to amend the Inspection and Sale Act, as regards the weights of a bushel and a bag of certain articles.

He said: If hon. gentlemen will read this Bill they will see that it simply defines the weight, which as yet has been left indefinite, of certain vegetables and grains. The only clause in it that I would call special attention to is this: it has been found that the weight of a barrel of potatoes, which was recently agreed to be 160 pounds, could be more conveniently made 165 pounds, in order to meet the exigencies of the trade; and I understand that Mr. Carvell, the gentleman in the other House who promoted the Bill, is entirely in accord with that view. We therefore propose to repeal the Act that we did pass making a barrel of potatoes 160 pounds, and make it 165 pounds. Of course any details may be gone into very properly in committee, if there are any that are objected to.

The motion was agreed to, and the Bill was read the second time.

BILL INTRODUCED.

Bill (III) An Act to incorporate the Saskatoon and Hudson Bay Railway Company.—Hon. Mr. Thompson.

At six o'clock, the Speaker left the chair.

After Recess.

CONDUITS COMPANY BILL.

SECOND READING.

The order of the day being called: Second reading of Bill (43) An Act respecting a patent of Conduits Company, Limited.—Hon. Mr. Jones.

Hon. Mr. JONES—This Bill appears in my name, but that is a mistake and I do not wish to promote the measure, I think it should be in the name of the Hon. Mr. Bostock.

Hon. Mr. YOUNG—Inasmuch as the hon. member from British Columbia is not here to-night, and the Bill has got to this stage, I think it would be only fair to the promoter that it should be read the second time now and referred to the Private Bills Committee, where the promoters can explain its provisions.

Hon. Sir MACKENZIE BOWELL—I should like to know what reasons the company advance for making this application.

Hon. Mr. YOUNG—There are many features of the Bill with which I am not familiar, but it is apparently one of a character which we frequently have to deal with—a request for an extension of time for complying with the terms of the Patent Act.

Hon. Sir MACKENZIE BOWELL—The House is rarely informed of the reasons for making applications of this kind. The Bills are read and referred to the committee, where, no doubt, explanations are given, but a committee report merely recommends that the Bill be passed, without going into detail. I wish it distinctly understood that the Senate is not committed to the principle of this Bill by granting the second reading.

Hon. Mr. YOUNG—I shall not ask the House to be committed to the principle; I merely ask that the second reading be taken now in order that the promoters may have an opportunity to explain the provisions of the Bill before the Private Bills Committee.

The motion was agreed to and the Bill was read the second time.

RAILWAY ACT AMENDMENT BILL.

KILLED ON SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (4) An Act to amend the Railway Act. He said: In moving the second reading of this Bill, I do not intend to make any extended remarks, as I am not really the father of the measure though it appears in my name. It simply provides that railways shall pay their employees twice a month instead of once.

Hon. Mr. McSWEENEY—Does that include the Intercolonial railway?

Hon. Mr. CAMPBELL—No, I do not think this Bill would cover the government roads. I think there are a great many reasons why this Bill should pass.

Hon. Mr. JONES—This Bill is pretty far reaching in its effects, the intention being that all railway companies shall pay their employees at least once every fortnight instead of once a month. The universal rule in Canada is to pay once a month. In countries where the population is dense, and distances not so great, and the audit office comparatively near the various departments of the railway work, it might be more practical than it is in Canada. I do not know what the usual rule is in other countries, but to provide that in Canada every railway company shall pay their employees at least once per fortnight, and that no portion of their pay shall be kept back, appeals to me as creating a condition that is not practical. To send out over a line of railway, and get in from all its various departments stretching from ocean to ocean, especially in portions of the country that are sparsely settled, the time checks from the foreman, superintendents and others and send them to the head office, and then make up the pay list and send out the money with the paymaster and expect to overtake the work and keep it up every fortnight appears to me a very grave question. A Bill having such far reaching consequences as that should not go through this House until we hear something about it, and know the reason why it is being asked, what the conditions are, what the hardships are if any, and such further information as would be reasonable to warrant this House to make a change so sweeping in its effects.

Hon. Mr. CAMPBELL—The intention is to refer it to the Railway Committee.

Hon. Mr. JONES—Of course it will go to the Railway Committee, but it is one of the great questions coming before this House that ought to have serious attention from those who are capable of giving it consideration, and of giving information to the House, so that the members not on the committee will be seized of the advantages and disadvantages that the proposed change may create. There is practically only one clause in the Bill. It provides that:

> The salaries or wages of every person employed in the operation, maintenance or equipment of any railway company to which the parliament of Canada has granted aid by means of subsidy or guarantee, shall be paid not less frequently than once in each two weeks during the term of employment of such person.

That means that every employee of the railway company must be paid for the full fortnight.

Hon. Mr. CASGRAIN—The hon. gentleman has got hold of the wrong Bill. The Bill has been amended since, and they are allowed to keep back pay.

Hon. Mr. BEIQUE—I do not know that they are allowed to keep back any pay.

Hon. Mr. JONES—I do not think it means that there is a provision under which they can keep back the pay. Every gentleman here can give such interpretation to that as he pleases; but it appeals to me that, as the Bill is at present, the companies must pay the men their wages not less frequently than every fortnight, and there is no question of keeping back any of the pay. If the hon. senator (Hon. Mr. Casgrain) is correct that they may keep back pay, then, of course, there is less objection to the Bill, because the company might pay a man his fortnight's wages in the middle of March that had been earned in the beginning of January. The question of keeping back, if any, has no limit. I think it is fair to conclude that there is no provision to keep back pay, and I submit, from the conclusion that I have arrived at, that it is practically impossible in certain sections of Canada to carry out a measure of this nature. The railway companies must have the pay rolls, they must be audited, and the pay made up and sent out in envelopes or pay cheques over the railway lines, and the men must be brought together where they can be handed their money by the paymaster. I have had a good deal of experience with pay rolls. The manufacturers of Canada pay fortnightly, and that is reasonable and practical, but manufacturing institutions have their audit department in the building where the workmen are employed,

and every night when the day's work is over, the audit department has the pay roll and it is entered in the books of the paymaster, and there is comparatively little difficulty in keeping up the work. From my own experience—and I believe it is the experience of all firms employing a considerable number of men—it is not practicable, even then, to pay all the men fortnightly at the same time. The pay-roll will be split into departments. I have an institution in mind just now which pays fortnightly one-half of their employees If this public building were an institution of that kind, the Senate would be paid at the close of one fortnight, and the paymaster would be busy with this department, and the next fortnight he would be busy with the other department. In no case is the pay-roll ever brought up to the day on which it is paid. I think that is practically impossible to be done, even in cities where your bank is so convenient that you can telephone for the various denominations of money you require, tens, fives, twos, ones, fifty cent pieces, 25's, 10's and 5's and coppers. Every employer has to obtain these denominations in order to have his cash made up, and the bank has to get it ready, and give him exactly what he wants, or he cannot go on with his business. I do not think those are practical conditions to apply to a railway, and for that reason, I feel that no such sweeping departure should be made without giving it careful consideration.

Hon. Mr. CASGRAIN—The intention of the promoters of this Bill is that a certain portion of the money will naturally be kept back, for the very reasons that are being advanced by the hon. gentleman from Toronto (Hon. Mr. Jones). If a railway section is distant from the head office it would take a certain number of days for the paymaster to make up his pay-roll, forward it by mail to the head office, where the pay-rolls are audited, and then the money is sent out and there is great delay. At the very outset I desire to say that the Bill is not brought before this House in any unfriendly feeling towards railway corporations—far from it. I am not one of those who believe that railways must charge unremunerative rates and at the same time pay high wages to their men. I believe that both the men and the companies should have fair play. I would be very careful not to do anything that might entail much extra expense on the railways, because I believe that the railways should be allowed in this country and elsewhere to earn a fair return, not only to pay interest on their bonds and reasonable dividends to their shareholders, but to pay good all-round wages to their men. We must remember that out of every dollar a railway takes in it pays out 67 cents in wages, so that two-thirds of the receipts of the railways go to wages and one-third is left to pay the interest on the bonds, and dividends. Therefore, this question of wages is of paramount importance to railways, and if by some device or other—and this is the purpose of the Bill—fortnightly payment of wages could be made the rule without extra expense, or with very little extra expense to the railways, I think I will be able to prove the result will be that, it will increase the value of the wages to the men from ten to twenty per cent. It is for this reason, I believe the Bill to be an excellent measure. The only difference to the railway will be the preparation of the pay-roll, twenty-six times in the year instead of twelve, and it will only require a small extra staff to prepare these pay-rolls every two weeks. The railways now make up their pay-rolls by engaging the office staff who are doing other work during the balance of the month and are taken off their regular work to assist in preparing the pay-rolls. It generally takes about three weeks to prepare a pay-roll. And it has been found in practice more economical to have pay-rolls weekly than to have them monthly. The Bell Telephone Company of Canada used to pay its employees who had a salary less than $100 a month, monthly, but they are now paid weekly. The company found it more economical to make out weekly pay-rolls, by a regular expert staff specially employed for that purpose, and the company are saving money by that system.

Hon. Mr. McSWEENEY—How many do they employ?

Hon. Mr. CASGRAIN—They employ a great many, and their employees are to be found in every province from the extreme western boundary of Ontario to the province my hon. friend represents down by the Atlantic.

Hon. Sir MACKENZIE BOWELL—Can the hon. gentleman explain how that economy is accomplished by doing the work four times a month instead of once a month?

Hon. Mr. CASGRAIN—The work is not done four times a month.

Hon. Sir MACKENZIE BOWELL—If they are paid weekly instead of monthly, there must be four pay-rolls a month instead of one.

Hon. Mr. CASGRAIN—An expert staff is specially employed to make up the pay sheets. Printed forms are used, and the names and amounts are added. I have the very best of information from people very near the Bell Telephone people that it is more economical for them to pay weekly, because they employ only a small staff to do the work; whereas before this system was adopted they used to employ a great number of men to make up the pay sheets, and it disorganized the other departments.

Hon. Mr. DAVIS—I see that this Bill applies to all the railroads that have been subsidized by the Dominion government or the railroads whose bonds have been guaranteed by the Dominion. Will my hon. friend explain to me how he is going to work out this patch work? Take the Grand Trunk Pacific for instance: The Dominion government guarantees the bonds on the main line, and the local governments guarantee the bonds on the branch lines, and the same arrangement applies to other roads. On one part of the system the men would be paid every two weeks, while on other parts of the system they would be paid monthly unless the local government were willing to make the system uniform.

Hon. Mr. CASGRAIN—I will answer that question before I sit down. The Dominion Bridge Co., is a large organization doing business in every province of Canada, still they find the means of paying their men every two weeks. The hon. gentleman from Toronto (Hon. Mr. Jones) said the banks pay their men every two weeks, and the Dominion Coal Co. pay their men every two weeks. When the Dominion Coal and the Dominion Steel Company were amalgamated, they wanted to have only fifty pay-rolls in the year instead of fifty two, and they made provision to pay every two weeks except at two periods during the year when the pay-roll was made up for three weeks. A strike was threatened, and the men walked out, and in the end their request was granted and they are now paid every two weeks. There are some railways in this country that now pay their men every two weeks, one of these being the Quebec, Atlantic and Lake Superior. When the bondholders took hold of that railway the creditors had never been paid, but ever since the employees have been paid regularly every two weeks.

Hon. Mr. BOYER—What is the mileage of the road?

Hon. Mr. CASGRAIN—Exactly one hundred miles. When the bondholders took possession of the road, the people were supposed to get so much a week but did not get it, and the bondholders told them they would give them twenty per cent less, but they would get paid every two weeks. Some said they would rather work for more even though they did not get it; but the great majority agreed to take the smaller wages and get paid every two weeks. That arrangement will have been in force 11 years on the first of July next, and the men have got their pay regularly during all that time. I claim that this arrangement will be good for the railways, and I will show how the wage earners will benefit by it. Hon. gentlemen in this House can hardly realize what it means to work for a corporation that only pays monthly. Supposing a man commences to work on the first of April next, he will work all through the month of April without getting a cent. You would naturally think that on the first or second of May he would get his money. Not at all. The first of May goes by, and no money is forthcoming. Who is to pay the butcher, the baker, the grocer or the landlord?

The first week and the second week of May go by; the third week comes, and on the 20th or 22nd of the month he gets his money. It is all very well for those who have money and credit; but do hon. gentlemen realize how hard it is for a workingman to obtain credit when the one who advances the goods or trusts him has absolutely no security for the debt? There is where the serious part of the monthly pay system comes in. Who will trust the labouring man who has nobody to indorse for him? Only those who have visited small tenements occupied by workingmen, or those who are engaged in philanthropic work can realize what a hardship it is to keep back a workingman's wages. His wife goes to the butcher to get some meat. If she has the ready money she can ask for meat of the best quality, because she is prepared to pay cash. The butcher sees the money in her hand and is willing to give her the best he has. But what happens if she has to bargain for it, having no money? Next to her comes the wife of the poor railway employee who is still waiting for his pay. The woman timidly walks into the shop and whispers, so as not to be overheard, to the butcher whether she would be trusted with a few pounds of beef to keep her children over Sunday, and if the butcher is good enough to fill the order, he will probably give her inferior meat not nearly as good as if she had the cash. He throws it on the scales, says so many pounds, and takes down his little book and marks it. You may be sure that the butcher knows it is not a safe sale, and he will discount the amount by not giving the best quality in the first place, and by charging the full price, and putting on an additional amount for the risk. I am told that it is sometimes as high as from ten to twenty per cent, because the butcher knows full well that the man may lose his employment next week, or the work may be stopped, or there may be sickness in the family, and if the workman has to call in the doctor, the doctor must be paid at any cost and the butcher, the milkman, the grocer, the baker, and the landlord have to stand aside because the doctor and the medicine must be paid for. You will see the milkman going by many houses without stopping. Why? Because the man in that house is sick and he will go by the door because there is not the ready cash, and the sick man and his children will have to go without milk.

It is not such a great hardship for the railway companies. They keep the money back a month twelve times in a year and that makes exactly one year's interest or five per cent off the wages. It may cost the company five per cent if they get it from the bank; but if they have a surplus, it would not cost them more than three and a half or four per cent, and in order to save that three, four, or five per cent they compel the employees to wait, and they decrease the value of the money to the employee from 10 to 20 per cent because he has got to buy on credit. I am informed that at Point St. Charles, Montreal, there are families to-day who are in debt to all the merchants, the baker, the butcher, and so on, ever since they have been working for the railway company. They have never caught up on these first seven weeks they had to wait for their pay cheques. In some portions of the province of paying cash on almost any commodity. paying cash on almost any commodity. Some workingmen are improvident, and they think they have a lot of money coming to them and they sometimes spend a little on unnecessary things. They will go to the grocer and pay something on account, and pay something on account to the butcher, and give a little to the baker, and milkman, but they always remain in debt. Many landlords in Montreal will allow their tenants to remain in their houses if they pay them regularly month by month for twelve months, and only charge them for eleven months, and in that way one-twelfth of the rent is saved. How is a man going to do that if he does not get his pay?

Take the case of a newcomer whom nobody knows and who finds work with the railway company. In the Angus shops at Montreal there must be 8,000 men employed, which means a population of 40,000 people. Suppose an immigrant arrives in this country and gets work there, if he wants to board in any one of the boarding houses he has to pay in advance. He may have a few dollars with him and be able to pay one or

two weeks, and to his surprise at the end of the second week, when he expects to get his pay, he finds he has to wait another month. He goes back to the boarding house, and he is told that if he cannot pay in advance he must go. What is he to do? Nothing else but pledge the few things he may have brought from the old country with him until he earns the money. I think it would be a reform in the right direction if we could by some means remedy this state of affairs. I do not want to be too drastic with the railways; but if we can induce them to pay every two weeks, and make twenty-six pay days in a year, then their employees would have ready money, and would make better use of their pay, which would be a good thing for the railway companies. I am not against this Bill going before the committee. I will be very glad to have the railway companies come and tell us what the extra expense would be of their pay car going from one end of the country to the other more frequently than now. After this measure has been in operation some time the railway companies will see that it is to their advantage. If you increase the value of the wages, by fortnightly instead of monthly payments, men will be less dissatisfied, and if it does not cost the railway companies very much more, I think it will certainly pay them. Of course they will lose the interest upon the money they now hold back. If a man works from the beginning of the month to the end, and is only paid on the third week of the following month, the total amount of his wages is for a little over a month held back in the hands of the railway company and if that money is drawing bank interest, the railway company gets the benefit, and if that is repeated twelve times in the year the company get exactly one year's interest, and the men are out that much.

Hon. Mr. LOUGHEED—You are surely wrong. You mean interest on one month's wages.

Hon. Mr. CASGRAIN—That is repeated twelve times in a year.

Hon. Mr. JONES—Does the hon. gentleman mean to say that he will lose a years' interest. He only loses one-twelfth of the year.

Hon. Mr. CASGRAIN—The man works from the first day of the month until the thirtieth. He is earning a dollar a day, twenty-six working days in a month, he has earned $26. I take it that the 15th of the month is a fair average.

Hon. Mr. LANDRY—That would be fifteen days interest.

Hon. Mr. CASGRAIN—From the first of the month there would be 45 days on the first dollar, and 44 days on the second dollar.

Hon. Mr. LOUGHEED—There is only one month's wages.

Hon. Mr. CASGRAIN—That is repeated twelve times.

Hon. Mr. JONES—May I ask a simple question? If a man begins working on the the first day of January and he does not get his pay for a month later, and works for the twelve months, and he has had pay for the last month in 15 or 20 days after the last month is completed, has he lost a month's interest?

Hon. Mr. CASGRAIN—He has lost the interest of one month, and supposing a railway company pays a million dollars in wages per month, then the railway company will lose the interest on one million dollars during the full year, and they always keep back the million dollars. The hon. gentleman from Prince Albert seems to think the drafting of the Bill is all patchwork, and so on; but I will tell him for his information that the amended Bill is the handiwork of a very particular friend of his, the Prime Minister of the country, Sir Wilfrid Laurier, and he did the patchwork, if there is any patchwork in it. To sum up, there is no objection from those promoting the Bill to a certain amount being kept back. That must of necessity happen. No railway company can pay a man on Saturday night after he has worked two weeks. The working people have no objection to two weeks being kept back, but they object to working all one month and being paid the third week of the next month.

Hon. Mr. DAVIS—My hon. friend made the statement that this Bill was drafted by a particular friend of mine; but that is not an answer to my question. The hon. gentleman is supporting the Bill, and I asked him how he proposes to work out the patchwork, when one-half of the railways are subsidized by the local government and the other half by the Dominion government?

Hon. Mr. CASGRAIN—If the hon. gentleman will read the 'Hansard' of the House of Commons he will find that same question was put by Dr. Sproule to Sir Wilfrid Laurier, and the Prime Minister answered that he knew of no railway that did not receive subsidies from the government.

Hon. Mr. DAVIS—How about the branch lines of the Grand Trunk railway?

Hon. Mr. CASGRAIN—I am telling the hon. gentleman what Sir Wilfrid said.

Hon. Sir MACKENZIE BOWELL—Would this Bill apply to the Grand Trunk railway? The Grand Trunk railway received aid in the way of a loan, some $15,000 per mile, when it was originally built; but they never repaid the principal or the interest on it.

Hon. Mr. LOUGHEED—It was neither a subsidy nor a guarantee.

Hon. Sir MACKENZIE BOWELL—No, simply a loan, which has never been returned. It stands now as an asset of the Dominion, and a debt owed by the Grand Trunk railway. What it is worth perhaps the hon. gentleman can tell us.

Hon. Mr. CASGRAIN—I can only repeat what I read in the 'Hansard,' that Sir Wilfrid knew of no road to which it would apply; that all the roads have subsidies, and therefore it would apply, and I take it that, with regard to a road which has had a subsidy on part of its system, as the hon. gentleman from Prince Albert says, on that part, if it pays every two weeks, all the employees would want to go to that section and would not wish to work on any other.

Hon. Mr. DAVIS—The settlers would have something to say if the road were not operated.

Hon. Mr. CASGRAIN—We can have a full discussion on the Bill in the Railway Committee.

Hon. Mr. BEIQUE—I am in accord with the principle of the Bill, but I do not think it is drafted just as it should be. The meaning of the clauses would be that any employee of the railway, at the expiration of 15 days, would be entitled to his full pay if he left them, but the railway would have to take three, four, five or six days to prepare the pay-roll. It would compel them to give the pay every week instead of every two weeks; therefore, of necessity, a provision should be added to the Bill providing for the keeping back of so many days' pay, say not exceeding eight days anyway, the delay which is necessary to prepare the pay-roll. Of necessity pay for that period of time must be kept back. It seems to me that if this rule should be applied to railways which have been subsidized, or have received aid by way of guarantee, it should be applied to all railways, with this proviso, that it might be permitted by order in council, on cause being shown, to relieve a railway or a section of a railway from the operation of the Bill, and in that way to provide for the cases which the hon. gentleman from Toronto has in mind.

Hon. Sir MACKENZIE BOWELL—I should like to ask what we are to understand by the statement made that the company hold back something?

Hon. Mr. BEIQUE—Because of the necessity to prepare the pay list, so many days are required. The reports must be collected, and sent in to the office, and the book must be audited, and I think it takes at least a week to prepare a pay list on a railway of any magnitude and importance; therefore, of necessity, I say an equal number of days must be kept back. I was stating that I thought it should apply to all railways, but subject to the Governor in Council, on a good cause being shown, exempting that part of a railway or a section of a railway from the operation of the Act. In that way the Bill would come to the help of railway employees. There is no doubt that the salary of the railways employees is kept back for

too long a period. It would be a great advantage to the men, and I do not believe the railways will seriously suffer if the period of pay is shorter. So far as I am at present advised, I am in favour of the principle of the Bill, provided that it be amended in the line I have mentioned.

Hon. Mr. McSWEENEY—In answer to the remark made by the hon. gentleman from Toronto, that it would be impossible to make up the pay-rolls on a long line of railway for fortnightly payment, we have tried it on the Intercolonial, though it is not under this Act, I am sorry to say, and it worked all right in the month of December. The men have been paid for some years up to the 20th December just before Christmas, and the ballance eleven days after that. They found no difficulty at all in doing it, and I think they have some ten thousand men in the employment of the Intercolonial. The hon. gentleman from Toronto is at the head of an industry that employs some thousand men who are paid fortnightly. The E. B. Eddy Company, at Ottawa, pay fortnightly; the Dominion Textile, and the various factories employing ten thousand people find no difficulty in fortnightly payment. The Canada Car Works, the Steel and Coal Corporation in Sydney, pay ten thousand people that way and find no difficulty, and in the United States the railways are compelled by law to pay every fortnight. It requires a little larger clerical force, but it would be a great accommodation to employees, and I trust before this Bill passes, —and I hope it will pass—that it will include the Intercolonial.

Hon. Mr. BOYER—Allow me to ask the hon. gentleman promoting the Bill how is it that the employees of great railway corporations, which are so progressive in our days, and have done so much to better their condition, never thought of bringing in this important reform? We all know for a fact that if there is a well organized body of men it is the railway employees. From engineers down to brakemen they have their own brotherhood which takes good care of their men, and they lay down a set of rules. This organization has never asked a railway corporation to pay them fortnightly.

Hon. Mr. BEIQUE.

Hon. Mr. McSWEENEY—I think the hon. gentleman will find that they have.

Hon. Mr. BOYER—I have never known a single instance of that kind. I have no objection to their being paid once a fortnight if possible; but there is no comparison between the Dominion Bridge Company and the Grand Trunk Railway. The bridge company employ about 800 men. They are all under one foreman. Every day, at six o'clock, the pay-roll can be paid; but the men who are at work for the Dominion Bridge Company out in the country only get their wages when they come back. They find it impossible to reach the men out in the country. They may be in Nova Scotia or New Brunswick. Their wives are allowed to go once a fortnight to the paymaster and ask an account; but they cannot reach the workmen. I would like to inquire if the railway employees organization ever asked for a measure providing for fortnightly pay.

Hon. Mr. CASGRAIN—I am very glad to be asked the question. I have here a petition from the workingmen throughout the length and breadth of the land.

Hon. Mr. OWENS—How many signatures on the petitions?

Hon. Mr. CASGRAIN—These were handed me by the member for St. Mary's division, Mr. Martin. There are a great number of employees in his division. For the last four years this Bill has been before the Commons, and passed this year unanimously with an amendment drawn by the Prime Minister himself. As to the Dominion Bridge Company not paying their men fortnightly, I happen to know that the Dominion Bridge Company are working all over this country. They are now working in Gaspé, and the men are getting their pay regularly.

Hon. Mr. McSWEENEY—Every fortnight?

Hon. Mr. CASGRAIN—Right along. If the hon. gentleman from Rigaud wants to make a provision that the railway company shall pay the married men, I think we had better move an amendment in that line.

Hon. Mr. LANDRY—And those who are not married?

Hon. Mr. CASGRAIN—They do not need it.

Hon. Mr. JONES—In answer to what the hon. gentleman has said, I believe that I am as sympathetic in regard to the prompt payment of workmen as the hon. gentleman or anybody else in this House, and I believe that every one who employs a large number of men realizes that any department of their business that is well cared for brings to them better service, better results by prompt payment. But prompt payment in the sense in which we are discussing it, is not always practicable or possible. It is a simple matter for the Bell Telephone Company, if you will, to pay their men promptly, but when we take a railway, some of the men are not working by the day, but by the miles they run, and when the hon. gentleman claims that the telephone company is an analogous case to the railways, it is simply ridiculous. So it is with regard to any other private corporation whose men are under one, two or three departments where the pay can be adjusted daily. It is said further that no considerable number of the employees were occupied preparing the pay-rolls until the last week, or the end of the month. With regard to the large corporations, if the hon. gentleman will look into the matter, he will find that the Canadian Pacific railway have thousands of men employed every day of the year on the pay-rolls and on the details of the runs of the brakemen, and firemen, upon which they are paid, and upon which they earn their money. They devote their whole time to it, and that is the basis of the pay-roll. The pay-roll has to be prepared after the time is reported and checked up in the time-keeping department. It would not be practicable to leave it to the discretion of the government to decree, by order in council, that fortnightly payment should be made on any portion of a railway. I think legislation which places upon the government the responsibility of adjusting questions of this kind, which are personal matters between employer and employee, will not be to the advantage of the employee. The government should not be expected to step in and adjust differences as to the dates at which men are to be paid, and, practically, as the hon. gentleman says here, to umpire the situation. That is practically what it means. Something must be left to the individuality of employers and and employees. As I said before, I have some knowledge of how this question works out. The hon. gentleman has undertaken to show that his proposition would be worth ten or twenty per cent to the men. I do not agree with that. I think that is absurd and ridiculous. I have been working on a salary for 40 years, and I am on a salary still, and I hope——

Hon. Mr. CASGRAN—How much is the salary?

Hon. Mr. JONES—About as much as I can conscientiously ask for; but my salary began at a small figure, so that it could increase considerably in these latter days, without averaging too much. He points out the great hardship to the working man in not having ready money to make his purchases. What is the practice? In all my house keeping life, I believe I never paid my grocery bill more frequently than once a month, and I think it is a mistake to say that it costs me from ten to twenty per cent additional, because I only pay it that often. I do not think it is a good thing to create the impression in this House that the grocers, the drygoods men and business people generally are dissatisfied if they do not get paid oftener than once a month. If they get their pay once a month they are doing business in a section of Canada that they will be delighted to stay in, and give reasonable credit to their customers. The hon. member from DeLanaudière called attention two or three times to the way the Bill is drawn, I suppose with the idea of impressing the Senate that it should pass. I do not know who drafted it but there must be some mistake, because I do not think that the Senate will undertake to place responsibility on any corporation that we are not prepared to assume for ourselves. I submit that if the government of Canada is responsible for this Bill, it should not present it be-

fore parliament until it has inaugurated the same principle in connection with its own similar line of business. It must appeal to everybody here that if we want to show the people of Canada what can be done on the railway systems of the country we should start with the Intercolonial railway. In that way we can teach a lesson to the railway companies of what can be accomplished in the interest of their men. If we, as owners of the Intercolonial railway, are not prepared to adopt this principle on our own railways, why should we ask other roads to adopt it simply because we have helped them to build roads through sections of the country where they could not have constructed them without aid? It is absolutely absurd.

Hon. Mr. BOYER—As far as the petition is concerned, it simply says that the men working in the car shops want to be paid once a fortnight. There is no heading to it.

Hon. Sir MACKENZIE BOWELL—The hon. member from De Salaberry has announced his approval of the principle of the Bill. I am opposed to it in its entirety. It is an interference between the employer and the employee and it is a question whether it does not come within that class of subjects assigned exclusively to the local authorities. What right has the Dominion government to declare what contracts shall be entered into between labourers and their employers? It is a question of civil rights. If the parliament of Canada assume the right to say how men shall be employed and how often they shall be paid, we will soon go a little further and declare what they shall or shall not eat. We have as good a right to declare that a man shall not eat beef more than once a week, or more than once a day, as to declare how often he shall be paid in a month. Any man who is not paid for the work he performs can collect his wages in the usual way. This parental legislation is an interference with the ordinary rights of the individual and should not be placed on our statute-book.

I can understand very well how the members of the House of Commons, who perhaps are catering to the votes they expect to get at the next election, would support a measure of this kind; but this House is so constituted as to be enabled to judge of the merits of any question, when it comes before them, without regard to any clamour which may be raised out of doors or inside of parliament. If there is any reason in the argument advanced by my hon. friend who spoke so feelingly, then we should make the railway companies pay at least once a week so as to prevent their men running into debt, and protect the butcher and the baker from loss. We might even make them pay every day. My hon. friend failed to answer my question when I asked him how it could be cheaper to pay the men once a fortnight instead of monthly. If it is economical to double the work why not carry it a little further and have the men paid every day? I suppose they would then arrive at the point where the work of preparing the pay-lists would be done for nothing. I leave the matter of interest with the hon. gentleman himself, and he can solve the problem when he gets quietly in his room with his pencil and his arithmetic. This question has been discussed from every practical standpoint by the hon. gentleman from Toronto, and I do not propose to go into it. First of all, the Bill interferes with private matters of railway companies. It might just as well apply to individuals as to railway companies, and the question is how far it is to be carried. How is it going to affect the Grand Trunk railway? On the main line that company received no subsidy or guarantee. It is true that in the commencement of the work they received a loan of money that is still owing. How is it going to affect the National Transcontinental line which the government is building from Winnipeg eastward? I can understand how it is going to affect the prairie section of the Grand Trunk Pacific, because there the government is granting a subsidy and guaranteeing the bonds. They guarantee the bonds, but the Grand Trunk Pacific would so far as it affects portions of its line come within the meaning of this law, but from Winnipeg to Moncton the National Transcontinental railway would not. The road from Winnipeg to Moncton is being built out of money raised and spent by the government, and is to be

afterwards rented to the Grand Trunk Pacific at a certain percentage of the cost. That is neither a guarantee nor a subsidy, and the Bill would only affect certain roads which had been subsidized by the government, and if the principle is good it should go further and apply to the Grand Trunk railway and every corporation that is carrying on business in the country. If I understand the constitution of the local legislatures, this interferes with civil rights and contracts which are within their exclusive power. My own impression is that this Bill ought not to receive its second reading. To my mind the principle is vicious in itself. Corporations should be allowed to carry on their business as they deem most advantageous to themselves. There is a remedy provided by law by which the men can collect their wages if they are not paid. If we are to enact legislation of this kind, we ought to go a little further and declare when men shall go to bed, when they shall get up, and what they shall drink, on the ground that it is dangerous to the health not to go to bed early, and that they should go to bed sober. We had better go the whole length while we are at it. I would be willing to vote to throw this Bill out, but if the Senate think it better to send it to the Railway Committee in order to have it threshed out there, then I have no objection. The sooner the Senate puts its foot on legislation of this kind the better, and the more credit will redound to the Senate among sensible people.

Hon. Mr. DAVIS—I quite agree with what the hon. gentleman has said. If the promoter of this Bill is prepared to allow it to go to the Railway Committee where all interests can be heard, I have no objection, but I would not like to see the Bill thrown out on the second reading in a slim House. For my part I do not know very much about the Bill. My hon. friend has produced a lot of petitions; I am in close touch with a great many of the railway people in the west, and I have never heard this question mentioned. Where the hon. gentleman got all the petitions he has produced I do not know.

Hon. Mr. LOUGHEED—I should like to say if I can reconcile the statement which I am about to make, that I am opposed to the principle of the Bill on account of its absence of principle. I cannot understand the assumption of the principle in the Bill upon which parliament seeks authority to legislate along this particular line. I ask my hon. friend if it is by reason of parliament having authority to deal with Dominion railways. If that is the principle which is being invoked it certainly does not reveal itself in the Bill. The government seems to presuppose—because I am assuming that the Prime Minister takes more or less responsibility for this Bill——

Hon. Mr. CASGRAIN—Made the amendment to it.

Hon. Mr. LOUGHEED—The principle that is being invoked is this: That wherever the parliament of Canada has granted a subsidy or guarantee, then this shall apply. May I point out to my hon. friend, it is to take effect on all Dominion aided railways. Therefore, we make the assumption that the principle upon which the Bill is based is practically ex post facto legislation. The parliament of Canada proposes to add to the subsidy, or guarantee, another condition, namely: That the railway company shall pay their men fortnightly. Parliament should do that. The contract has been passed. That contract giving a subsidy or guarantee to the railway embraces an agreement between the railway company and parliament. Parliament steps in and undertakes, entirely apart from the subsidy or the guarantee, to impose a condition coming within the domain of property and civil rights, which is only within the competence or authority of the provinces of Canada.

Hon. Mr. BEIQUE—The hon. gentleman is not serious in that.

Hon. Mr. LOUGHEED—I am. Could the parliament of Canada step in and say that the Canadian Pacific railway should pay a fixed wage to its men? I submit not. That is purely a matter of contract, and, therefore, can be only dealt with by

the provinces of Canada. I am also opposed to the introduction of this kind of legislation, interfering manifestly with the domestic economy of railways. They should be free to administer their own internal management as to the manner of payment. As my hon. friend from Montreal has said, there are no organizations superior to the organized labour associations employed on railways, and yet there is not a tittle of evidence before parliament that any of the organizations has asked for an amendment of this character. We know perfectly well, from keeping in close touch with public affairs, and particularly with affairs touching the administration of railways, that immediately there is a grievance on the part of railway employees, that grievance is remedied as soon as it arises, and if this is working out the injury that my hon. friend has pointed out, and which he has so pathetically described, surely they would have asked for redress long ago.

As has been pointed out by my hon. friend from Belleville, this is not susceptible of practical application. Take the case of the Grand Trunk Pacific; on its eastern section this amendment would not apply, because it does not receive a subsidy or guarantee. Part of the prairie section would come within the Bill, but on the branches, which have not received aid from the Dominion government but from the provincial legislatures, it would not apply. The men to whom it is intended to apply work on all three. How are we going to dissociate one from the other? How are we going to dissociate those portions of the road where it will apply from those portions where it will not apply? The same thing may be said of the Canadian Northern railway, which is a trunk system and being rapidly constructed from the Atlantic to the Pacific. On the main line running through British Columbia this Act would not apply. That portion of the road has not received assistance from the Dominion government; but it has received assistance from the provincial government. Some of the employees will run from one end of the road to the other and will work on sections of the road on which it would not apply and other sections on which it would apply.

Hon. Mr. JONES—The province of Manitoba is in the same position.

Hon. Mr. LOUGHEED—The same thing would apply on the subsidiary roads which work in conjunction with the trunk systems. This is the most ill-suggested piece of legislation I have seen introduced into parliament. And it seems to me the sponsor of this Bill has not considered it. I do not refer to my hon. friend in this House; it has come to us from the House of Commons, and I say the sponsor of this Bill has not considered many of the ramifications into which this legislation must seek to enter. I think, under the circumstances, that this Chamber should not approve of the principle of the Bill and it should not have a second reading.

Hon. Mr. DANDURAND—I do not agree with my hon. friend when he affirms that we have no jurisdiction to deal with such a matter. My conviction is that all railways which are the creation of this parliament and under its control can be regulated, even in such details as these, by us if we choose to do so; but I agree with him when he thinks that this Bill will be quite unworkable. Before reading it I thought it covered all railways under the jurisdiction of Canada, excepting the Intercolonial railway, an exception which, for my part, I would not favour. I have no objection to sending this Bill to the Railway Committee in order to ascertain if there is really a grievance which could be remedied. I would not be bound by the semblance of principle that may be found underlying this Bill.

The House divided on the motion, which was rejected, contents, 11; non-contents, 12.

THE GRAIN BILL.

Hon. Mr. DANDURAND moved that the House do now adjourn.

Hon. Mr. DAVIS—Before the House adjourns, I should like to know if it is the intention of the government to take up the Grain Bill to-morrow? I was asked by people interested in the Bill to take charge of it in this House; but I have to leave to night for Toronto. I understand that some interests have been heard before some committee of the House, and the grain growers

think, if there is going to be anything of that kind, they should have a hearing.

Hon. Mr. DANDURAND—No committee has been appointed for the hearing of anyone.

Hon. Mr. DAVIS—There was a gathering of members of the House to listen to representations.

Hon. Mr. DANDURAND—That was an informal meeting which may be held at any time if a certain number of senators are willing to listen to representations. I heard the right hon. leader of this House declare that the Grain Bill will be taken up to-morrow in Committee of the Whole.

Hon. Mr. DAVIS—I merely wish to make that statement, that the people who are in favour of the Bill as it stands had an intimation that other interests had been heard, and they want to be heard also. Certain gentlemen have been lobbying round this House for some time, and the grain growers think they should be allowed to be heard if there are to be any changes made in the measure.

Hon. Mr. DANDURAND— I have not heard of any lobbying going on. Like other members of the Senate, I have received printed representations as to the effect of this Bill, but if parties interested in the Bill have any memorandum they wish to circulate in this Chamber they are welcome to do so, or, if they want to invite senators to hear them, there is nothing to prevent them issuing such an invitation.

The motion was agreed to, and the Senate adjourned until to-morrow at three o'clock

THE SENATE.

WEDNESDAY, March 15, 1911.

The Speaker took the chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (No. 102) An Act to incorporate the Imperial Traction Company.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 110) An Act respecting the People's Railway Company.—Hon. Mr. Ratz.

SERVICES OF MILITARY MEN.

INQUIRY.

Hon. Mr. LANDRY inquired:

Does the government intend to utilize the services of military men who have successfully passed the necessary examinations, by giving them, at the time of the next training of the Canadian Militia, the command of camps and districts, or will this duty be entrusted to those who are already in command of a military district, but who will have to be diverted from the fulfilment of their regular duties, by imposing on them the obligations of a different position?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

The command of camps of instruction devolves on those officers who are in command of commands and districts, inasmuch as the troops undergoing instruction in the camps are part of those commands and districts.

Officers who have passed the necessary examinations are appointed to the staff of brigades within the command or district, or are employed on the staffs of the camps.

It does not necessarily follow that because officers pass the necessary examination, they should be given command of a camp of instruction, but it is the intention that their services should be availed of whenever necessary in the interests of the service.

RIGHT OF WAY OF THE GRAND TRUNK PACIFIC.

INQUIRIES.

The notices of inquiry being called:

Hon. Mr. LANDRY inquired:

What has been, up to date, the cost of the right of way of the Grand Trunk Pacific, across the county of Champlain?

Besides the total amount paid for the land, what were the sums paid for legal expenses?

To whom (giving the names) have these last amounts been paid to?

What has been, up to date, the cost of the right of way of the Grand Trunk Pacific across the county of Temiscouata?

Besides the total amount paid for the land, what were the sums paid for legal expenses?

To whom (giving the names) have those last amounts been paid to?

How much has the right of way of the Grand Trunk Pacific across the county of Kamouraska cost up to this date?

What are the amounts which have been paid for legal costs, over and above the total sum expended for the land?

To whom, giving the names, have these last amounts been paid?

How much has the right of way of the Grand Trunk Pacific across the county of l'Islet cost up to this date?

What are the amounts which have been paid for legal costs, over and above the total sum expended for the land?

To whom, giving the names, have these last amounts been paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to these several inquiries can only be given up to December 31, 1910, and are as follow:

Cost of right of way to December 31, 1910, across the following counties:

County of Kamouraska	.. .. ..	$32,279 69
" L'Islet	.. ..	21,326 00
" Champlain	.. ..	59,372 20
" Témiscouata	.. .. ..	38,746 44

LEGAL EXPENSES.

Kamouraska and Temiscouata counties:

Legal and travelling expenses paid to C. P. Beaulieu, Notary.	$5,256 45

Kamouraska county:

Legal and travelling expenses paid to J. I. Lapointe, Notary.	725 55

L'Islet county:

Legal and travelling expenses paid to L. A. Dupuis, Notary..	555 35
Legal and travelling expenses paid to Joseph Bernier, Notary.	1,056 40

Champlain county:

Legal and travelling expenses paid to L. E. Germain, Notary.	3,338 77
Legal and travelling expenses paid to J. A. Mousseau, Notary.	2,769 40
Legal and travelling expenses paid to C. E. Vigneau, Notary..	2,435 65

In addition to the above notarial expenses, L. A. Taschereau, Esq., K.C., acted as solicitor for the commissioners in the examination and approval of all deeds for right of way and other purposes covering the counties of Quebec, Portneuf, Champlain, Lévis, Dorchester, Bellechasse, Montmagny and L'Islet, and he was also the general legal adviser for the commissioners in connection with the work through the province of Quebec. His bills are not made showing the details of his service by counties, and it is therefore impossible to give the amounts paid to Mr. Taschereau in that way. A return has been made up and sent to the Senate showing what he has been paid altogether.

There was also paid to Mr. Adolphe Stein, advocate of Fraserville, Quebec, who acted as solicitor in taking right of way for the counties of Kamouraska and Témiscouata the sum of $1,194.90.

CONTRIBUTIONS TO SUPERANNUATION FUND.

INQUIRY.

Hon. Mr. LANDRY inquired:

As a matter of fact, do the ordinary letter carriers having charge of His Majesty's mails, or any of them contribute annually,—and in what percentage of their salary—to the superannuation fund. Under what section of the Act is such a contribution allowed, and from what date, does this practice exist among letter carriers or employees whose position is not permanent?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

Letter carriers appointed prior to the 1st of April, 1893, and who did not accept the Civil Service Retirement Act on the 1st of July, 1898, when the Civil Service Superannuation Act was repealed in so far as new appointments were concerned, contribute to the Superannuation Fund at the rate of 2 per cent per annum on the salary if it is $600, and upwards, and 1½ per cent thereon if it is less than $600.

Letter carriers appointed between the 1st of April, 1893, and the 1st of July, 1898, and who did not accept the Civil Service Retirement Act on the 1st of July, 1898, contribute to the Superannuation Fund at the rate of 3½ per cent per annum on the salary if it is $600, and upwards, and 3 per cent thereon if it is less than $600. These contributions above mentioned are fixed under sections 17 and 18 of the Civil Service Superannuation and Retirement Act.

Temporary employees do not contribute to the Superannuation Fund.

ACQUISITION OF CARRIER-LAINE PROPERTY.

INQUIRY POSTPONED.

The Order of the Day being called.

Hon. Mr. LANDRY inquired:

The Senate having, on the 22nd April last, given an order to lay upon the table of this

House a copy of all the correspondence exchanged between the government, the Departments of Justice and Public Works, and all other persons, on the subject of the acquisition, &c., of the Carrier-Lainé property at Lévis, may it be expected that the Departments of Justice and of Public Works, whom this order specially concerns, will make it their duty to order their agents at Quebec, Messrs. Vien and Dêcarie, to furnish without further delay a complete copy of their correspondence on this subject with their respective departments or with other persons?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have replied to that question, that the department had no further information.

Hon. Mr. LANDRY—I am asking if those departments will order Mr. Vien, who represents the Department of Justice, and Mr. Dêcarie, who represents the Department of Public Works to produce what information they have.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will call the attention of the department to it and allow the inquiry to stand.

RIOTOUS TROUBLES IN GASPE.

INQUIRY.

Hon. Mr. LANDRY inquired:

Troubles of a riotous nature having arisen in some localities of the county of Gaspé, during the fiscal year 1907-08, did the government or the Marine Department order any of its ships to sail for the seat of the trouble, for the purpose of maintaining order, and of safeguarding life and property?

What ship was thus despatched to the Gaspé coast?

When was such order issued?

On whose complaint representations, or request?

When did the ship reach the scene of the riot?

How long did the expedition last?

What was the cost thereof and who defrayed the expenses of the same?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1 and 2. The department has no information of such troubles in 1907-08; but in September, 1909, it was informed of rioting among the fishermen at Fox River, Gaspé county, when the cruiser 'Canada' was sent there.

September 8, 1909.

The action was taken following investigation as to the seriousness of the position.

September 11, 1909.

Four days.

The duty was included in the patrol work of the 'Canada' and no separate account for these four days was kept.

PURCHASE OF TIES FOR THE INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Was Mr. F. B. Atkinson authorized, in 1907 and 1908, to purchase ties for the Intercolonial or to give out contracts for the supply of cedar, cypress, birch, ash, or poplar, ties?

2. By whom was he so authorized?

3. Have the inspectors employed by the Intercolonial been authorized and by whom, to accept, in addition to cedar ties, birch, ash or poplar ties?

4. As a matter of fact, have they accepted such ties at the stations of St. Moise, Lac Malfait, Sayabec and Lac au Saumon?

What quantities of each of these classes at each of these stations and at what prices?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1. Mr. F. B. Atkinson, was authorized to purchase ties of the following woods: cedar, tamarac, princess pine, hemlock, white pine and hard wood.

2. By the general manager, with the approval of the department.

3. Inspectors were authorized by the engineer of maintenance, to accept ties of the following woods: oak, maple, beach, yellow birch and ash; no instructions were given them to take poplar ties.

4. 225 birch ties at 30 cents, and 14 at 20 cents; 4 ash ties at 30 cents, were taken at Lac au Saumon; 434 birch ties at 30 cents, and 96 at 20 cents; 29 ash ties at 30 cents and 2 at 20 cents, were taken at St Moïse. No cypress, birch, ash or poplar ties were taken at Lac Malfait or Sayabec. No cypress or poplar ties were taken at St. Moïse Lac Malfait, Sayabec or Lac au Saumon

A QUESTION OF PRIVILEGE.

Hon. Mr. DOMVILLE—Before the orders of the day are called, I have a question of privilege to bring before the House. On page 378 of the Senate debates of yesterday is to be found the report of a discussion on the Chinese Bill before the House. It is very short but it does me a very great injustice, and hereafter when future ages come to read these debates of the Senate

I would stand in a very peculiar light before them, and being by that time out of the way and unable to protect myself, I do not think it would be fair. It reads this way.

Hon. Mr. DOMVILLE—How many wives is a Chinaman to be allowed to bring in? He is not by his law tied down to one wife.
Hon. Mr. CLORAN—The hon, gentleman puts a very pertinent question. Under Canadian law the Chinaman would be entitled to as much as a Canadian, no more.
Hon. Mr. DOMVILLE—Only one?
Hon Mr. CLORAN—Yes.
Hon. Mr. DOMVILLE—What is he going to do with the others?
Hon. Mr. CLORAN—He leaves them behind in China. They are all abandoned—but he will protect the one in Canada and hold her as his wife as long as she lives.
Hon Mr. DOMVILLE—Then you are going to degrade all the other women.
Hon. Mr. CLORAN—They cannot be any more degraded than they are by our law as it is, because we stop the Chinaman from bringing even one of them here. If we permit the Chinaman to bring one woman to Canada as his wife she would be protected.
Hon. Mr. DOMVILLE—Supposing he gets tired of one and sends her back and brings another, what are you going to do?

Here is the point of privilege:

Hon. Mr. CLORAN—If I had the experience of my hon. friend in such matters I could answer him along that line.

That statement surely should be altered or explained. I regret that the hon. gentleman from Victoria division (Hon. Mr. Cloran), is not in his place this afternoon in order that I might call his attention to the matter. I cannot sleep over this question without something being done. I think the remark should be struck out, or altered by the Debates Committee.

Hon. Mr. LANDRY—I think the hon. gentleman should explain what he meant.

Hon. Mr. DOMVILLE—He is not here to explain, and I cannot explain it myself. I have had no experience with Chinese women. I think this is a serious matter. I will put a notice on the order paper to have that part of the report struck out.

Hon. Mr. LANDRY—The hon. gentleman had better let the matter rest until the hon. gentleman from Victoria division comes in.

THIRD READINGS.

Bill (S-1) An Act for the relief of Ethel May Hornell—Hon. Mr. Derbyshire.

Bill (T-1) An Act for the relief of Paulina Verena Meyer—Hon. Mr. Campbell.

THE GRAIN BILL.

AGAIN IN COMMITTEE.

The House resumed in Committee of the Whole, consideration of Bill (Q) Act respecting Grain.

(In the Committee.)

On clause 123, subsection 2,

123. No person owning, managing, operating or otherwise interested in any public terminal elevator shall buy or sell grain or be interested in any other form of storage of grain.
2. This section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator used or operated in connection with any flour mill situate at the same terminal point as such elevator: Provided however, that such elevator shall be subject to such restrictions and regulations as are from time to time imposed by the Board, with the approval of the Governor in Council.

Hon. Mr. LOUGHEED—I had not the opportunity of being present when this Bill was in Committee, but my attention having been directed to clause 123, and having given some little consideration to it, particularly in view of the interests involved, I feel that I am warranted in making some observations upon the drastic nature of the legislation which it contemplates.

One has to consider, in the first place, the origin of this legislation. I am warranted in saying that it is the outcome of public agitation which has prevailed over the northwest for some few years. Concession after concession has been wrung from the government and chrystallized into law. I am not criticising that legislation. I think it is of a salutary character in most respects; but experience and observation teach us that legislation resulting from public agitation is almost invariably of a drastic and revolutionary character. A public agitation of the kind to which I have alluded usually results in gross injustice being done to many interests which have not the opportunity of presenting their case before parliament, and impressing a careful consideration of such legislation. I find this to be the case in connection with two sections of the Bill under discussion. For many years the govern-

ment has given its authority to private corporations to do a particular class of work throughout that western country. The development of that country has been of a most extraordinary character. It must not only pass through the experimental stages of business, but it must gain its experience by reason of the business which is so largely done, and done more or less in a very crude way. As I have said, the government has placed its sanction upon many companies doing a very large business in that country. We have at least between Lake Superior and the base of the Rocky Mountains some eighteen hundred country elevators, and about a dozen terminal elevators situated at Port Arthur and Fort William. Owing to the very rapid development of the prairie country, hon. gentlemen can appreciate the fact that the development of the elevator business necessarily became a very important factor, marching parallel so to speak, with the development of the country; and in the development of the elevator system the country elevator and the terminal elevator went hand in hand. Persons interested in country elevators found it necessary in the course of their business to build terminal elevators, as a railway company finds it necessary to have terminal facilities, without which it would be impossible to give proper attention to transportation. There is really no distinction between a railway having terminal facilities and a line of country elevators having its terminal facilities. We find it alleged that certain frauds were committed in the terminal elevators. From the inquiry which I have been able to make, those frauds were not investigated to the extent of our being able to determine wherein the trouble lies. For the purpose of facilitating the working of the commission, and the duty cast upon certain officials, I understand some terminal elevators pleaded guilty, fancying that the result would be largely of a formal character, and a new system by which better checks could be kept upon the industry involved would be promulgated, and an end put to difficulties, or the suspicion which seemed to prevail between the farmer and the warehouse man or the elevator operator. But we find this agitation stepping in and proposing in the most drastic way, at one fell swoop, to wipe out the many vested interests which are involved in this business. This clause 123, I pronounce to be of the most revolutionary character which I have observed in any statute passed by the parliament of Canada. For instance, it proposes to entirely divorce the company owning the terminal elevator from ownership of or interest in the country elevator. It proposes to entirely disqualify the man who holds the two interests to-day from retaining the interests they now possess. Most elevator companies, as I have already remarked, own their terminal elevators and their country elevators. There are about a dozen terminal elevators, and I am told about eighteen hundred country elevators, upon which bonds and securities of different kinds have been issued. Those bonds are held by all classes of investors. We have extended, by our legislation, an invitation to capital to come into this country and to invest very largely in the organization and establishment of our elevator systems. Not only our own people, but those of the neighbouring republic have invested very largely in building up those lines of elevators. I would ask my right hon. friend how the government propose that the legislation involved in those two sections is to be carried out? It is of the most confiscatory kind. It proposes to absolutely wipe out all the vested interests, which represent hundreds of thousands of dollars.

Hon. Mr. EDWARDS—Millions of dollars.

Hon. Mr. LOUGHEED—My hon. friend says it represents millions. I have no doubt it does represent millions. It proposes to stamp upon the owner of the country elevator a disqualification as to holding the interests of which he is to-day possessed. It proposes to say to the owner of the country elevator, 'For all time to come, so long as you are in the grain trade, you cannot possibly operate a country elevator together with a terminal elevator.' It places that brand of disability upon him. Can my hon. friend point to any law upon our statute-book of an analogous character? I certainly know of no legislation running parallel to this or bearing any semblance to it.

We have, for instance, endeavoured to pass the most stringent laws to maintain the independence of parliament. We have enacted that no member of parliament shall be interested in any contract or any transaction with the government of Canada, yet, at the same time, we permit him to be a member of an incorporated company that may have the most extensive dealings with the government, and by which he may participate quite as largely, if not more profitably, than if he had individual dealings.

Rt. Hon. Sir RICHARD CARTWRIGHT —And has on a good many occasions.

Hon. Mr. LOUGHEED—Yes. My hon. friend knows very well that is the case. In connection with our railways, would it be tolerated for a moment, because there has been a public agitation spread through the country as to freight rates and as to other alleged abuses on the part of our railways, that parliament should enact that no stockholder in a railway should be permitted to ship freight upon the railway in which he had an interest? Yet that would be an analogous case to the one now under consideration. Public opinion would not for a moment tolerate that, much less would the government or parliament conceive the idea of legislating along such lines, and yet it is proposed in this Bill to say that because certain abuses have occurred in connection with the grain trade and the operation of elevators, interests which are to-day held, representing millions of money, by capitalists, by investors and by operators, must be separated or divorced from the terminal elevator without any machinery being conceived or brought into motion for the purpose of the owners realizing upon the interests which they possess. It may be said that the government might be prevailed upon to expropriate the terminal elevator, and thus permit the owner of the elevator interest to realize his money; but it must appeal to the reason of every hon. gentleman that the one cannot be operated except in connection with the other. It is simply the one interest, and if railways can enjoy their terminal facilities, there is no reason why the owners of country elevators should not have their terminal elevator. The law as it stands on the statute-book is a most abundant measure in the way of permitting a government to appoint officials to enforce the policy of the Act and, in my judgment, without casting any reflections, or to be personal in the matter, it surely must be the fault of the government officials, if with the abundant machinery which we to-day have upon the statute-book, the grain trade cannot be properly protected. But I go further than that; I am in harmony and approve of the policy of the Bill except as to the very drastic measure represented by these two sections.

Let me instance another case. Here is a large industry in the town of Peterborough, known as the Quaker Oats industry. The gentlemen who own that large industry, which is a very important factor in the building up of the town of Peterborough, and I cite this as an instance because there are similar cases, have invested a large amount of capital for the development of that industry, and that has inured to the profit of the farmers of the country. These gentlemen would be called upon either to sell their interests in that large industry and attach themselves exclusively to their terminal elevators, or to continue to hold that profitable industry in Peterborough and sacrifice their interests in the terminal elevators. Now, is it in the public interest that that should be done? It would be a reflection upon the intelligence of the people of Canada. It would be a reflection upon our legal machinery, upon the officers charged with the carrying out of the statute law of the country to say that such abuses as have been pointed out by my right hon. friend, when introducing the Bill, cannot be remedied by the officials of the Crown performing the duties imposed upon them according to the statute. I fail to understand why the army of officials cannot, if they perform their duties, prevent the mixing of grain, which seems to be the trouble in conducting the elevator business. I have one or two suggestions to make to my right hon. friend, and that is that this Bill should go to a special committee of this House in order that the interests involved may have an opportunity of appearing before parliament through that committee, and stating

their reasons for opposing the measure. It surely is not the policy of parliament or of the government that very large interests of this character should be sacrificed, or that large investments should be confiscated without any consideration being given to them. Permit me to say that that particular interest has not had an opportunity of presenting its case to the government as it would be entitled to. The grain growers of this country came down to Ottawa in a body and waited, as an influential delegation, upon my right hon. friend, presented their views of the case, with the result that we have this voluminous Bill before us. If I am rightly informed, vested interests, millions of money invested in these elevators, spread from the head of the lakes to the base of the Rocky mountains, have not had an opportunity of presenting their case, and showing the reasons why this drastic legislation, as embodied in these two sections, should be passed. As an alternative, I would suggest to my right hon. friend that these two sections should be so modified as to overcome the difficulty which I have pointed out. It might be worked out in this way; that the terminal elevator operator should not be directly interested in the grain which goes into his terminal elevator. It seems to me that if we go as far as that it would be analogous to the independence of Parliament Act, which is looked upon as one of the drastic measures on our statute-book. I would again suggest that these two sections should be so modified as to permit of co-ownership in both branches of the industry, at least of a joint ownership. In other words, that no distinction should be drawn between ownership and interest in country elevators and terminal elevators. I have no hesitation in saying that it is imperative, if parliament is to do its duty between the contending and conflicting interests of the grain dealers and the elevator operator, that the most mature consideration should be given to this very important subject. That consideration cannot be given by passing this legislation without parliament being made thoroughly familiar with all the facts leading up to this conflict between the two interests to which I have referred. I presume that many of my hon. friends propose further discussing this section. At the present moment, I have no intention of moving an amendment to the sections, but would prefer, for my own satisfaction, that other hon. gentlemen should express themselves upon the points to which I have referred.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would be glad to hear from some of the other gentlemen upon the subject, and then I would be in a position to give an answer to my hon. friend.

Hon. Mr. BEIQUE—I have given some consideration to the Bill, especially to sections 123 and 242. I am disposed to go a very long away. The power given to the commission which is being created by virtue of this Bill for the purpose of controlling terminal elevators and elevators of all kinds is very full. It would be very difficult at the present time to define what power will be required by that commission. I think this Bill should embody the necessary power. But the powers which they require will be ascertained as the law is enforced, and it would be impossible at the present time for any member of this honourable House to go to the extent of saying that we should prevent anybody dealing in grain from being interested as a shareholder in a company controlling a terminal elevator. I have tried to find out what possible reason there could be for going as far as that, and I must say that I have been unable to find any. Much less can I find any reason to justify this provision, which prohibits not only their being interested in buying the grain in Canada, but prohibits them from being interested in buying grain in a foreign country. What it has to do with managing or owning an elevator in Canada simply because a man is interested in buying grain in the United States, France or England, I fail to see. Therefore, I think this Bill goes too far when it seeks to define too closely what will be the necessary powers to effect the purposes of this measure. I think that the object would be attained if, for instance, clause 122 were amended to go a step further. I find that power is given to the Board to license persons to maintain a terminal elevator. Subsection 3 provides: 'Such license shall give au-

authority to carry on and conduct the business of a terminal elevator in accordance with the law.' I do not think this clause goes far enough. It should be not only in accordance with the law, but in accordance with the regulations made by the commission and approved by the Governor in council. The subjects upon which rules and regulations may be made by the Board should be better defined. That should be made a distinct and separate clause, and, if properly drafted, power will be given the Board to make regulations covering the whole subject. This would do away with the necessity for clause 123. For clause 242 I would substitute a clause less drastic, but which would go far enough and impose a high penalty, or even provide for imprisonment for disregarding either the provisions of the law or any rules or regulations adopted by the Board. If the Bill were amended in that way, it would fully carry out the object the government has in view and would reasonably protect all vested interests. This clause 123, as the hon. leader of the opposition said, taken in conjunction with clause 242, really goes too far. It is confiscating, so to speak, properties of very large value and without any evidence that it is necessary for the purpose of attaining the object which the government has in view in this Bill. On going over the Bill, I find there are different provisions which conflict with one another. I am referring now to some clauses which we have passed. In one clause one thing is provided, and in another another provision is made for the same subject. The attention of the law clerk should be called to these different clauses so that they may be harmonized, and I think also that the Bill would gain a great deal by different arrangement. The classifications are not what they should be. I perfectly understand that this is re-enacting laws which have been on the statute-book, and which may not have been sufficiently matured in the past, and the party who drafted the Bill followed these clauses and added other clauses which were intended to improve the Bill, but which really make it less clear than it should be. I hope the right hon. leader of the government in this House will see his way to accept the suggestion which has just been made by the hon. leader of the opposition, and refer the Bill to a special committee. I have no doubt that such a committee will do what is necessary to clothe the commission intended to be created with all necessary powers, so that the object the government has in view may be attained without oppressing anybody.

Hon. Mr. McHUGH—I desire to put myself on record as being opposed to what I consider the very drastic legislation in the two clauses 123 and 242. I do not often rise to thrust my views on this honourable House, but in looking over this question I have come to the conclusion that it is legislation which is not in the interests of the people of Canada. I am fully satisfied that it is not in the interest of the farming community of the northwest, although it is the farmer that the government have taken under their paternal care in the legislation they have introduced here. Probably their principal object is to maintain a high standard of grades for our Canadian wheat, but they already have standards for many varieties of grain. So long as the grain is inspected by their officers and kept up to that standard, I cannot see why the owner of grain should be prohibited from mixing his wheat as he pleases. Speaking of country elevators and terminal elevators, the one man or the one company may own several country elevators where they buy grain, and from which they send it to their own terminal elevator. They are allowed to mix it in the country elevators as they please, but not at the terminal elevator where they have better facilities for mixing. Grain has to be classified by the government, and why the government should say: 'We will not allow you to use the terminal elevators to mix your grain,' I cannot understand.

I hope this Bill will go to a special committee where it can be amended, and where probably I might have an opportunity of stating my views better than I feel I can do it in this Chamber. Another effect I think it will have, is, it will divert the carrying trade to the south instead of allowing it to come east and west through the natural channels, Port Arthur and Fort William. Those places are the natural

channels for the Canadian grain to come through, but you can place such obstacles in the way of a stream that you will change its course, the same is true of trade, and you are placing obstacles in the way of dealers who are handling grain at Port Arthur and Fort William, which are not placed in the way of the trade at Duluth. If I took the time I could point out certain differences between the regulations governing the inspection in Minnesota, and the regulations governing the inspection at Fort William. I could also point out the differences in the licenses granted there to what are called terminal and private elevators. The government of the United States does not undertake to control the man with the private elevator, and he can do as he pleases with his own grain. It does step in, however, and say that he must not mix the grain belonging to different people. He cannot mix Smith's grain with Jones' grain if put into his hands for storage, but with his own grain he can ship it from different elevators, and he can grade it to the standard that he desires. The inspection is done when that grain is going out into the car. The government inspector puts his label on it there, and it is put in the class to which it belongs, and I do not see why this penalty clause should be inserted to deny to purchasers of that grain from the farmers the right which belongs to them, and which they think is to their best advantage. The present system creates a competition between the purchasers of the grain at these country elevators, the only source which will stimulate the purchaser to give a better price to the farmer for the grain he is buying. I hope the right hon. gentleman will send the Bill to a special committee where we can obtain the fullest information and where amendments can be considered more thoroughly than in a Committee of the Whole, and where an opportunity will be afforded to those who are interested in the legislation to be heard. This is a matter vital not only to the grain growers of the country, but to the transportation companies, because if you place obstacles in the way of trade going in its natural channel, you will divert it into a channel which you cannot control. We want the grain of the west to come to Port Arthur and Fort William, and we do not want to place any obstacle in the way, which will have the effect of sending it in an opposite direction. I know that some people will hold it is a much shorter route to the market by Fort William than by Duluth. I understand there is a difference in favour of Duluth of railway mileage as compared with Port Arthur or Fort William to Winnipeg. After it is loaded into vessels, the transportation from Duluth is much longer to the port of shipment down to Montreal or to New York than it is from Port Arthur, but if you drive sufficient of the trade there, and lessen it to Fort William, the rates will always be reduced where the greatest amount of business is to be done, so that the longer haul will eventually cost less than the shorter haul.

Hon. Mr. DOUGLAS—I feel very much interested in this whole question, and after listening to the hon. gentleman who has spoken, I feel impressed with the fact that the gentlemen are not minutely acquainted with the history and development of this grain legislation as embodied in this Bill. It has been a matter of very great concern to the whole of the west, and I believe that in 1897 a large meeting was called, and the duty devolved upon me at that public meeting to do something to break up the monopolies that had been then formed, and to modify, in some degree at least, the wrongs that were known to exist. I had been long enough in the country and had experience enough to be able to realize the fact that it was an exceedingly difficult task; that it touched so many different lines of business and affected so many different interests in Canada and beyond the seas, that it was not to be settled in any one day or even any one year. I remember distinctly stating to that large gathering that while I was their servant as a public representative at Ottawa, it was my duty to do anything that would modify the evils that were known to exist, and, if possible, to bring about a better state of things. Therefore, with the promise of their concurrence and help we made an attempt in 1897, and continued the effort until 1900, when the Bills you now have before you were upon the

table. I am not going to enumerate what I have known to be facts discovered, and wrongs corrected, the frauds that have been practised, and large amounts of money that have been made, even millions through wrong practices, because it is too long a story to submit to this House under these circumstances; but I am very much impressed with the idea that it requires severe treatment. If you have a wrong it will not improve it to cover it up. If you have a malady and there is corruption to the bone, then probe it to the bone and let us get rid of it. If we are to improve the condition of things, drastic measures are required, and while this measure may appear to be somewhat drastic, I would not object to having the whole question submitted to a committee of this House, where parties might be heard and the questions debated, in order to arrive at some satisfactory measure that will do the least possible injury to any individual in business. Our work is not to destroy but to build up and strengthen. However, I feel satisfied from views expressed by the hon. gentlemen who have just spoken that they have not given this question the attention that it deserves. I know that some have been, like myself, out of the city, perhaps through ill-health or otherwise, and the Bill has not received that careful consideration that it would have before a select committee. I see no hardship, as far as the control given to the commission that is supposed to be created by it is concerned. They are not asked to confiscate property. If they deem it necessary that they should have absolute control of any terminal elevator, they are empowered by the Act to purchase the property. It is not supposed that owners are forced to sell, but the board may purchase, or they may lease.

Hon. Mr. EDWARDS—Who would they purchase for?

Hon. Mr. DOUGLAS—For their own use I suppose, and the use of the country. Out in the west, the belief is that the evil is just there. That you cannot enforce a system of inspection that will prevent the frauds that have developed and that exist, as we all know, if the man who holds the grain has the power of looking after the last inspection, and the power of sending forth a mixed grade of grain according to his own judgment and taste. It is utterly impossible for the country to maintain the character of the grain which it ought to sustain in the old world, in the markets of Great Britain.

Hon. Mr. BAIRD—When the grain is loaded, how does the vessel at Port Arthur get inspection? Is it not inspected then by the government inspector?

Hon. Mr. DOUGLAS—Not if a man owns his own elevator and has absolute control of it. He exercises power in connection with his own property. I want to show you that this question has a bearing upon the entire future of the country and that is where hon. gentlemen overlook the main point. You will observe that there are seven or eight grades of wheat, and when these grades go into the composition of No. 1 grade, the grain of the country is degraded. It's character is broken down and it will not fill the bill in Great Britain as it has in the past. When men now come to deal with No. 1 hard they say, 'This is what we used to have, we can depend upon it now; it will absorb a certain amount of moisture, and we cannot make a certain number more loaves with the same weight of flour.' But when it is mixed with inferior grain and with scoured grain, not after the principle upon which it is done in the United States, but at the upper lake institutions, they do it in a more deleterious way. They use lime and sulphur to scour smutted grain. I do not care what they use, they cannot take the peculiar odour out that belongs to the smut in connection with the grain. It can be detected by an expert in the markets of Great Britain or anywhere else. They can produce the colour, and can polish the grain and make it pass as if it were No. 1 hard.

Hon. Mr. DERBYSHIRE—Cannot they flavour it too?

Hon. Mr. DOUGLAS—They cannot flavour it, and they cannot remove this peculiar odour from it, and in Great Britain such wheat must be sold at a lower price.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman propose to enact a law

which would prevent a man who owns a private elevator with 100,000 bushels of a certain grade of grain in it, from mixing that grain with 50,000 of No. 2 and selling it as he pleases?

Hon. Mr. DOUGLAS—Yes, it is declared to be a crime by this Act. It is bound to be a fraud, and if you wish to legalize fraud say so and we will understand it. There are a great many things that are wrong, and you are seeking here to retain a great wrong. But to correct it, I am prepared to say, 'stop the difficulty,' and if you are to stop the difficulty and secure confidence and justice and right to the people of that country, you cannot retain that system of mixing grain. It is not an honest system and it cannot be called an honest system. I suppose these matters should be discussed at greater length. I am told that friends from beyond the border have addressed a large number of the members of this House in room No. 8, and they have spoken of their ways of doing things and desire to retain this system to some extent in Canada. We have had it for over 30 years, and it has wrought evil in the country, and has created a great deal of, not only feeling, but wrong, and men have built up wealth for themselves at the expense of the hard worker and the man who has to earn his bread upon his farm through severe toil. I know that there are differences of opinion as to the legal aspects of the matter, and how far it metes out justice to the individual who has vested rights. If we are to come to the conclusion that mixing of grades of grain is to be tolerated, then you can put all the rest of the Bill in the waste paper basket as far as I am concerned, because you will not improve the condition of things. I remember it was thought perfectly right that we should have the grain manipulated, and that all these elevators should be controlled. The farmer came to the elevator with his grain and he was offered so and so for it. If he did not take it he could be trampled upon. I remember also that a railway company thought fit to issue an order to all their agencies that no car should be given to any grain grower except to the agencies represented in these elevator companies. That was all threshed out in the House of Commons. The men who were in control of those companies had to admit that they had no legal right to proceed on any such principle; that they were violating the Dominion Act when they did so, and that was the first thing that broke up the elevator monopoly and allowed the producers to sell their grain on the track at what they thought was a just price. These things have changed; but here are difficulties of another kind arising, and you have men shipping out half a million bushels of grain of a certain quality more than they have bought in of that quality. If the trade enables a man to do that as a merchant or an exporter, he has defrauded somebody. I stand by that point. He either did not give proper value for the lower grades, or he failed to do justice when he sold. One of them was honest enough to say to me that he had bought in seven or eight grades, and sent out only three or four.

Hon. Mr. BAIRD—Then the government inspection is no good.

Hon. Mr. DOUGLAS—This Bill aims at making such practice a criminal act, and so there will be a restraint put on the exporter or dealer to compel honest and straightforward dealing. I like the Bill very much, but if anything can be done to make it more lenient or more free and at the same time protect vested rights of the large number of gentlemen engaged in the business, I am not an iconoclast. I do not wish to destroy men's business. I want to build it up, and I should be very glad to spend a week in listening to the different parties giving their views, in order that all rights may be protected and the business of our country conserved and established. I read the Bill, before the last recess, with a good deal of care, and I felt that while it was somewhat drastic, nothing but drastic measures were likely to secure the justice for which we are looking.

Hon. Sir MACKENZIE BOWELL—Considering the magnitude of the interests involved in this Bill, it would be well to submit it to a small committee for careful

consideration as to how it would effect trade and transportation if put in operation. The government has but one object in view in the introduction of this measure, and that is to protect not only the farmer and the dealer, but the interest of the country itself. The question is one of great importance in connection with the grain trade of the country. The rapidity with which the northwest has been settled, and the immense production of grain in so short a period, demand all the attention and consideration that the government can bestow upon it. I may mention a precedent; the right hon. gentleman knows that when we had the important measure affecting banks brought before us for consideration ten years ago, the government submitted the measure to a committee for consideration, and all interested in the subject were given an opportunity to be heard. I do not know that I could give you a better illustration of the effect of referring a government measure to a committee than that of the Life Assurance Bill. The government came to the conclusion that wrongs were being committed constantly under the then existing law. The matter was referred to judges and to a special commission. After they had made their report, it was then brought before the House of Commons. A government measure was introduced, and it received the consideration of the House of Commons for one whole session. The House did not come to a final decision on the measure that session, and it was postponed for further consideration until the following session. Then it was re-introduced, but not in the House of Commons—it was introduced in the Senate and referred to a committee. That committee devoted over a month's time and consideration to the different clauses of that Bill. The committee met some 30 or 35 times. Every clause was fully considered, and, after it had been reported back to this House, the amended Bill was adopted with only one or two slight amendments. It was then sent to the House of Commons, where it was adopted, with, I think, only one minor amendment. The Bill now before us involves an interest almost equal to that of the Insurance Bill. I hesitate not to say that if the Insurance Bill as introduced originally, coming from the legal committee that reported upon it, had been placed on the statute-book, you would have found few life insurance companies in existence to-day, because the provisions of the Bill were of such a drastic character that no man would have sat upon the Board of an insurance company as he became responsible for the acts of every agent, no matter who he was or where he was located. Every one knows that in the introduction of a measure of this kind, the government can have but one desire, and that is to protect the investor in the lands, the producer of the wheat, and those who have invested in elevators. I am surprised to learn that there are in the provinces west of Ontario no less than 1,866 elevators. Add to that fifteen in Ontario and four belonging to the milling companies and elevators in the other provinces, and you have a total number of elevators in the Dominion at the present time of 1,909. When I consider the number of elevators built by private capital, I must conclude that millions of dollars are involved in the passing of this Bill. Being convinced that the right hon. Minister of Trade and Commerce has in view the protection of the different interests, without confiscating the properties of those who have made investments, I am satisfied that he will accede to the request to send this Bill to a committee where it can be calmly and deliberately considered. If that committee makes a recommendation which the government think is too drastic or not drastic enough, or not in the interest of those who have money invested, or that it does not provide proper protection for the farmers, then they can either reject that recommendation or they can so amend the Bill as to effect the object they have in view. I am not prepared myself to endorse all the agitation that has been made. We know how easy it is for a community or for a class of men to raise objections to the enforcement of any measure, and we know how apt they are to complain if these measures are not enforced to such a degree as to meet their particular ideas and interests. I am very much impressed with what has been said in this discussion, and I trust that the right hon. leader of the government in this House will accept the

suggestion which has been made, to refer the Bill to a committee of legal and practical men engaged in the carrying trade of this country, and in the production of the grain itself. I venture this opinion without discussing the merits of the Bill in detail, and whether the government will accept the suggestions which have been made I do not know, but I was very much impressed with the practical observations of the hon. gentleman from Lindsay (Hon. Mr. McHugh), upon this question, although it was more on a matter of detail than the point which has been so strongly urged upon the House by my hon. friend on my left (Hon. Mr. Lougheed).

Hon. Mr. WATSON—This matter has been fairly threshed out in a general way. I agree with the hon. gentleman who has just resumed his seat that we should refer this matter to a special committee. Otherwise the members of this House can hardly become possessed of the intricate working of the handling of grain in order to deal with this subject intelligently. I believe we ought to have expert evidence not only from the gentlemen interested in terminal elevators, but from the producers of grain, who have an organization, and no doubt can be heard before that committee. One or two statements have been made here which I think are rather misleading. The hon. gentleman from Saskatchewan (Mr. Douglas) referred to the fact that our high grade wheat was damaged by the mixing of impure wheat with it. According to the Inspection Act—and I have never heard that it has been abused—no smutty wheat, no matter how treated, can be put in any higher grade than No. 3, Northern, so that it does not go into any higher grade, and I do not think any charge that it has been placed in a higher grade has been substantiated. The same remark applies to sulphured and bleached wheat. There is a system pursued at the present time—and I do not know how you will prevent it in future if this legislation is passed—by which our wheat is degraded between Winnipeg and Fort William. By being degraded I mean that the best samples of certain grades are picked out by the milling companies of the west, after the wheat is inspected at Winnipeg and before it arrives at Fort William, and the result is that the average grade of wheat that comes out of the bins in Fort William cannot possibly be as good as the average grade of wheat inspected at Winnipeg. There is probably a difference of two or three cents a bushel spread between No. 1 and No. 2 Northern, and about the same between No. 2 and No. 3. The miller has the opportunity of seeing the samples that are drawn from the cars at Winnipeg and probably he would pick out a sample of wheat out of No. 2 Northern and that is worth a cent and a half or two cents a bushel more than the average of that bin; it is almost up to No. 1. It will not grade No. 1, but it will grade an extra good No. 2. He picks that car-load out and in this way the millers go all along the line, and select the best samples of the grades of wheat after inspection at Winnipeg, and those cars are turned his way by the time they get to Fort William. That practice prevails now and will prevail as long as that system is adopted and it can only be prevented by one means, and that is by establishing a sample market.

Hon. Mr. DANDURAND—Does the hon. gentleman say that the sample taken at Winnipeg is always higher than the sample taken at the terminal?

Hon. Mr. WATSON—The wheat is graded No. 1, No. 2 and No. 3, Northern, and these samples are all selected there from the cars. They are open for inspection. I go in and pick out the best of No. 2. I let the rest go on to Fort William. I buy the best sample and divert it to my own elevator or mill, and it does not go into the average of the grain at Fort William. The result is that the average of a train load at Fort William is not as good as the average at Winnipeg. Another class of wheat we have in the western country, in which the millers above all others are interested in having a monoply of purchasing and grinding, is the off-grades, and I believe, the west is losing more money in the off-grades of wheat on account of not having competition in the sale of these grades than they lose in the higher grades. In the high grades there may be a little mixing, and I must say from some practical

knowledge of the grain and milling business of the west, that I am not very much opposed to the mixing. If a farmer wants to mix his grain, and makes more money in that way than he could otherwise, then he mixes it. If a farmer has one car of extra hard No. 1 and two cars of not very good, or of extra good No. 3 hard wheat, or No. 3, Northern, he can mix those cars together, and make it all grade No. 2 Northern, and when he does that he gets for it the price of No. 2 Northern. I am not so sure whether an elevator should not be allowed to do the same thing, because the inspector inspects the wheat as against an unwilling purchaser. He must inspect the wheat into the bin, so that an unwilling purchaser will have to take that grade on the inspection out of the bin. He keeps the grade pretty well up. If a man is buying No. 2, Northern, worth 80 cents a bushel, why should he get wheat that is worth 82 cents? As long as he gets the grade No. 2, Northern, that is what he has paid for, and that is what he gets, and I am not so sure that it would not be better for the west if the elevators were allowed to mix the grain and make the best grades they can, just the same as any farmer or anybody else selling his goods. However, the inspection outward is maintaining the grade there. One of the reasons why we have the legislation before us is that the elevators at Fort William did admit some wrong-doing and infringement of the Inspection Act. They paid a fine of some $5,000. It is claimed by those gentlemen that they should not have paid it. Probably if the Bill is referred to a special committee we shall get some evidence on that point. They claim there was a shortage of certain grades in their bins. We must remember that at the time there was a supposed shortage, it was on estimates of measuring the bins. It is claimed by those gentlemen that when they took stock and the grain was actually weighed that there was not that shortage, and that the charge could not have been proved if the stock had been taken. They could not take stock, and they measured the bins and averaged up and estimated their shortage. We may hear something about that as well. While we are prepared to say that the reports made by the farmers should have every weight and consideration—and I am in full sympathy with that side of the case; I do not believe any elevator company could handle a terminal elevator, that is, in the ordinary market, competitors should not have a terminal elevator. If I am buying wheat in the open market for export, and I want to ship that wheat, I do not think it is fair that I should ship it to a competitor on the market. It would not be expected that I should get a square deal if my competitor is going to handle my grain at the terminal, because we know he has opportunities for doing things which should not be done. I will not charge those men with doing it, but that is the principle the government is working on. They are going to try and make those elevator people independent of the men who are buying grain in the open market.

I trust that the hon. gentleman who has charge of the Bill, will let it go to a subcommittee, where not only the elevator interests but the farming interests and the grain interest generally can be heard. It is one of the most difficult Bills to frame that we could possibly have before us. For years we have thought that we were perfecting legislation to do away with all the wrongs that were complained of in the west. I remember during my very first session in parliament, away back in 1883, that we had to do with this grain business and it has been dealt with ever since, with regard to making grades, the method of unloading on the platforms and at elevators. Two years ago we passed legislation to appoint government inspectors at the terminals, and we then thought we had solved the problem. We find now that even government inspectors cannot control the situation, and something else is being suggested. Sometimes I am inclined to think that we have too much special legislation, and that we should leave these things open to free competition. I believe the system that should prevail is that the railway companies should own and control the terminal elevators at Fort William and Port Arthur, and if they did we would have none of this trouble. It was suggested by my hon. friend from Saskatchewan (Mr. Douglas) that the railway com-

panies in their terminal elevators started the mixing of grain. I must say that I never heard of it, and it is entirely new to me. I do not believe that the railway companies are interested in mixing grain at the terminals. I believe that if the terminals were owned, controlled and operated by the railway companies, we would have none of this trouble about mixing at the terminals, for the reason that the amount of money that they could make by it would be of no consequence to a railway corporation. Even if they went into the system of mixing, they would not get much out of it. In the western country we have a few colonization roads. Then we have the Grand Trunk Pacific, the Canadian Northern and the Canadian Pacific railway, all coming to Fort William and Port Arthur, and the result is that the average farmer or grain dealer in the west can ship his grain by either route. The railway companies get from ten to fifteen cents freight per bushel, and they are much more interested in getting the grain routed by their road than in manipulating the grain at the terminals. The delegation that came down from the west a few months ago actually went out of their way to pay the Canadian Pacific Railway terminal elevator a compliment. It is the only terminal elevator owned and controlled by a railway corporation, and they were paid a compliment by that delegation; they selected it as one of the elevators where they got a square deal. The Grand Trunk Pacific has not handled much grain yet. The large terminal elevator belonging to the Canadian Northern railway is leased to a grain company. A gentleman will be before the committee who represents that interest. I think it was a mistake for the railway companies to allow these terminals to get out of their hands. I do not think the government had anything to do with it. Probably they could not prevent it. One of the troubles is that the elevators have got into the hands of the grain companies. If they had got into the hands of the transportation companies, there would have been no complaints in the northwest as far as handling grain at the terminals is concerned. I trust that an able committee will be appointed before whom not only the very large interests handling grain at the terminals will be able to appear, but also the gentlemen who are interested in getting a square deal.

Hon. Mr. CAMPBELL—I desire to add my views to the reasons that have been expressed as to why I think this Bill should be referred to a special committee. A great deal has been said as to the drastic nature of clauses 123 and 242, and to some extent I agree with the sentiment that these clauses are very severe. I have before me a letter from the secretary of the Dominion Millers' Association, in Toronto. He wrote me yesterday about this, and says: 'I sincerely hope that you will strongly oppose any amendment being made to the two clauses you have mentioned, Nos. 123 and 242, till such time as those in favour of these clauses have an opportunity of presenting their views before the members of the committee. It is hardly fair that the Senate should act on representations from one side only.' They are a very important body in the province of Ontario, handling enormous quantities of Manitoba and Northwest grain. What their objections are to any amendment to these two clauses I do not know. It seems to me that the clauses are very drastic, and I would be in favour of amending them in the line suggested by the hon. member from Montreal (Hon. Mr. Béïque) or in some other way; but it is only fair that these men on the opposite side should be heard and have an opportunity of presenting their views to the committee. I give the government a great deal of credit for this Bill. We have been legislating now for 20 or 30 years in reference to the handling and transportation and marekting the grain of the Northwest. Year by year we find some weak spots and we improve them. Two years ago we thought we had reached the end; but we find more weak spots have developed, and now this Bill has been brought in, the purpose of which is to still more perfect the system that we have. Possibly this measure will not be the end of it. After we have established this commission, we may find that there will be further amendments required; and they will have to be made. That is what we are here for. I have very strong views on this question, and I must say that I differ very

much from the hon. member from Marquette (Hon. Mr. Watson) in reference to mixing grains. I do not believe the government should allow he mixing of inspected grain. If I have 40 or 50 elevators and buy wheat from the farmers, I can mix that grain just as I please. I paid for it; it is nobody's business what I do with it. I can throw it all in one bin or keep it separate and nobody has a right to say anything to me? But when I send that grain forward and ask the government to put their official stamp upon that grain as No. 1, No. 2 or No. 3 Northern, my right ceases and I have no right to mix the grain afterwards and should not be allowed to do so. Let the grain be inspected as No. 1 Northern, and go into the terminal elevator as No. 1 Northern and go to the markets of the world under that grade; but once you open the door and allow men to manipulate the grain that has been inspected and try to raise lower grades up to higher grades then you open the door for all kinds of rascality, and it would be impossible for one thousand inspectors to prevent the wheat from being deteriorated. The great cry we have now is, as a gentleman told me, if you get a sample of No. 1 Northern sold in Europe and compare it with No. 1 Northern as sold in Winnipeg, you would hardly know it, there is so much difference. We have instances on record where grain has been mixed improperly in terminal elevators, and that should not be allowed under any circumstances. It is better for the farmers and for everybody that it should be stopped.

Hon. Mr. YOUNG—What about transfer elevators?

Hon. Mr. CAMPBELL—Mix nowhere, either at transfers or terminal elevators. If you allow a dealer to mix grain in a terminal elevator and ship it out, then I would like to know how it is possible to inspect it where the grain is in bins 70 feet deep, and where it goes into the boat at the rate of 40,000 bushels an hour, at a speed of a mile a minute. It can be inspected in the cars. The inspector goes into the car, puts his spear away down in a half a dozen places and brings up samples, and he can inspect it; but how can he inspect it when it is being loaded into a boat at 40,000 bushels an hour, and a mile a minute? The object and aim of this Bill, and I entirely approve of it, is that there shall be no mixing of that grain once the government has placed their stamp upon it, and made it No. 1, 2, 3 or 4 Northern. It should go to the markets of the world under that inspector's certificate, and no tampering should be allowed, no mixing, and no manipulating whatever. I hope that the leader of the government will allow this Bill to go to the committee, where the various interests can be heard, and I am sure we will arrive at a solution of the question much more effectually, and in a much better way for all concerned, than we can by discussion in the House.

Hon. Mr. EDWARDS—I have already expressed my views, and it is not necessary for me to reiterate them further. I have heard within a day or two that the great railways are very much interested in this question and desire to be heard, and I understand that outside the Bar of the House at this very moment, another interest has appeared, the millers of the eastern part of the country. I think there is the strongest reason to suggest that this Bill should go to a select committee.

Rt. Hon. Sir RICHARD CARTWRIGHT—Nobody has a better right to speak than my hon. friend from Ottawa, because he, in the first instance, strongly advocated sending this Bill to a special committee. I have listened with very great interest to the various remarks. I regret that my hon. friend the leader of the opposition was not present while the other clauses of this Bill were being put through committee. I expressly reserved these two clauses 123 and 242, because of the great importance of the question he raised. It was new legislation. The rest of the Bill, with the exception of the first part, is merely a re-enactment of the existing law. There are no material alterations. In most cases, the changes are merely verbal alterations, substituting board and commission for the terms heretofore used. I was not disposed to refer the whole Bill to a special committee, chiefly by reason of the immense num-

ber of clauses and the apparent fact that there was no need of discussing the legislation already in force. It was the new legislation we were to put in force. I am disposed to meet the views of my hon. friends, having fully considered the matter, and hearing the requests preferred by various important interests to be heard before the committee, I am disposed to meet it as far as they themselves really can desire, by referring these clauses which have been kept over, and which if you examine the Bill minutely you will see are really the only clauses which can be fairly called contentious, because I believe there was a unanimous concurrence on the part of the House that the other clauses establishing a commission should pass without any alteration. No hon. gentleman on either side has raised any objection to what is known as part first. Now, all I would suggest to the House is this: in view of all these circumstances, and in view of the fact expressed by so many hon. members, a desire that all parties concerned should have an opportunity of stating their views, I would not object to referring the clauses 123 and 242, to a special committee who could sit, I presume de die in diem, and I presume they would not object to report to this House within a reasonable time and let them give every opportunity to all parties to state their views in full. The committee, of course, would be open to every member of the Senate who takes an interest in this matter to be present, and I think the rules of our committees allow senators to ask questions if they please.

Hon. Mr. YOUNG—They have the same power as a member of a committee except as to voting.

Rt. Hon. Sir RICHARD CARTWRIGHT—That I understood to be the rule of our House. If that will meet the views of my hon. friends opposite, I am disposed to concur, and shall move for the placing of these two clauses in the hands of a special committee; but I think it would be as well that the committee should confine itself, chiefly at any rate, to the taking of evidence and reporting the evidence to the House. With respect to any amendments that they or any hon. gentleman here may desire to make to the Bill, I suggest, as I have suggested on other occasions, that the best way to deal with that is to place the amendments which they desire to move on the Order Paper so that we may have a full opportunity of examining them, and then when we come to the stage of the third reading of the Bill, the House can be moved back into committee and any amendments that are agreed to can be inserted. Will that meet my hon. friend's views?

Hon. Mr. LOUGHEED—Yes, it is quite satisfactory.

Rt. Hon. Sir RICHARD CARTWRIGHT—Then I shall move that these clauses, which I may say are really the only disputatious clauses—that is 123 and 242 be referred to a special committee composed of Hon. Messrs. Lougheed, Young, Davis, Douglas, Kirchhoffer, Talbot, Power and Béique.

Hon. Mr. BEIQUE—I would suggest that clause 122 should go with 123, because it might render it easier to deal with 123 if 122 were considered at the same time.

Rt. Hon. Sir RICHARD CARTWRIGHT—If the hon. gentleman thinks it is interwoven with it I have no objection. I desire to limit it to the clauses I have mentioned because there are an immense number of clauses in the Bill which are working very well, and I do not want to disturb those. Moreover, it might lead to a great tangle and wrangle if we went into the consideration of the whole Bill. The question raised by my hon. friend goes to the root of the principle. This is an exceedingly complicated question, and the steps which have been taken have only been taken after very long and careful examination, and after finding that the modes of inspection heretofore in use were insufficient to cope with the resources of the gentlemen who have been engaged in operating the terminal elevators. No one is better qualified to speak on that subject than the hon. member from York (Mr. Campbell) who has had great practical experience and knows how those things are done.

Hon. Mr. LOUGHEED—Do I understand that the hon. gentleman from North York had been engaged in those manipulations?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, but he knows how they are done. At any rate, I think the House will agree with me that my hon. friend's point was well taken, that while prior to government inspection any man is free to do what he pleases, after government inspection it is quite a different thing, whether he should be allowed to mix government inspected wheat of 1, 2 and 3 grades at his own sole pleasure. However, we desire particularly in this business—we have no ulterior object—to have all sides fully heard. I would only ask that the committee which is to be appointed would expedite the matter as far as possible, because I am anxious to get it placed before the House in sufficient time to enable them to discuss and pass it. I move that the committee rise and report progress and ask leave to sit again.

Hon. Mr. YOUNG—If I understand the right hon. gentleman aright, he proposes to limit the powers of this committee to simply taking evidence and reporting it to the House. Will that evidence be printed?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think that would be desirable if it can be done with reasonable speed.

Hon. Mr. BOSTOCK, from the committee reported that they had made some progress with the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that a special committee be appointed consisting of Messrs. Lougheed, Young, Kirchhoffer, Talbot, Douglas, Bostock, Power and Béique to take evidence with respect to clauses 122, 123 and 342 and to report to the House.

Hon. Mr. POWER—I think the right hon. leader of the House should make the powers of the committee a little more extensive. In addition to hearing the evidence, the committee should be authorized to report any suggestions they may have to make. If the committee put their views into shape, it will save a great deal of time in Committee of the Whole.

Rt. Hon. Sir RICHARD CARTWRIGHT —I had thought of that, but it appears to me that a better plan would be that the members of the committee individually, or collectively if they please, should put such suggestions as they desire to make in the shape of amendments to any clause of the Bill, to be moved at the Third reading. I have found great advantage in having these submitted in advance and printed in the orders, that the various officers concerned may have an opportunity of seeing and considering them, and then, on the third reading, of discussing such of them as appeared to be desirable or necessary. It is extremely likely there will be a good deal of discussion and different opinions expressed, and a majority and a minority report made in a committee of the kind, and the object is, as I understand, to give all parties concerned an opportunity of being heard. That is the chief object for which this committee is appointed, and that would be best attained in the way I have suggested. However, I am in the hands of the House.

Hon. Mr. BEIQUE—Of course, any suggestions made would come before the House and be considered by the government. The work would be much more complete and effective. A matter of this kind cannot be as maturely dealt with even in Committee of the Whole, and far less at the third reading, as in a small committee. In a small committee we would be able to arrive at conclusions which would be acceptable to the government. The government may feel assured that there is but one opinion. The hon. leader of the opposition, as well as several members on both sides, have agreed that the object which the government has in view is commendable, and there will be but one effort and that is to perfect the measure as far as possible.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no objection to suggestions being made, but it would be better done in the way I have mentioned. However, I am not particular about that point; I do not bind myself, remember, to accept the suggestions.

Hon. Sir MACKENZIE BOWELL—I would suggest that power be given the committee to employ stenographers.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will add words to that effect.

Hon. Mr. EDWARDS—I would suggest that the Hon. Mr. Jones be added to the committee.

Rt. Hon. Sir RICHARD CARTWRIGHT —Although we are all interested in it, there is no doubt the west is most deeply interested.

Hon. Mr. DOUGLAS—How many members from the west are named for that committee?

Hon. Mr. WATSON—Seven members from the west.

Hon. Mr. YOUNG—It is not purely a western matter by any manner of means. My hon. friend seems to labour under the impression that the whole matter will be dealt with by the special committee. It is only clauses 122, 123, and 242.

Hon. Mr. DOUGLAS—I don't require any instructions.

Hon. Mr. YOUNG—My hon. friend's remarks and what he requires are not in harmony. I was endeavouring to harmonize them. It is not a western matter alone, inasmuch as it deals with shareholders in certain companies, who may be all over Canada, and perhaps in other countries as well. That is the interest that is dealt with by clauses 122, 123 and 242. The grading and storage of grain does not come within those clauses.

The motion was agreed to.

OPIUM AND DRUG PROHIBITION BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole consideration of (Bill 97) an Act to prohibit the improper use of Opium and other Drugs.

(In the Committee.)

Hon. Sir RICHARD SCOTT—I have suggested certain changes to clause 10. I propose to add after each of the words, opium, cocaine and morphine the following: 'and their derivatives and preparations, and also any drug of which the said substances form a part', because a very large number of medicines and preparations are now in the market in which these drugs are mixed, opium, cocaine and morphine. In the United States, they have a list of about 50 drugs, and many of these are in preparations given to children. The only way to cover the matter would be to make provision that where these drugs or any derivatives of them are in any mixture it should be shown on the label.

Hon. Mr. POWER—With respect to the proposal of my hon. friend on my right, if he looks at paragraph 'a' of the clause he will see that: "'drug' means and includes any substance mentioned in the schedule to this Act; or which may be added thereto under the authority of this Act;" That gives the government power to add anything they please, and the articles to which the hon. gentleman especially objects are now in the schedule of the Bill, cocaine, morphine and opium.

Hon. Sir RICHARD SCOTT—I said the derivatives of any one of the three, opium, cocaine, or morphine, or prescriptions that would include any of them.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may say for the information of the hon. gentleman and the House also, that the Department of Labour, from whom this Bill came, have submitted two or three amendments to the schedule which I think will meet his views, at any rate in a very large measure. They propose to add after the word cocaine, 'or any salts or compound thereof,' and the same words will be added after the words 'morphine' and 'opium.' That would cover a great deal of what my hon. friend referred to, and as this has been considered by Drs. Montizambert and Hodgetts it would be well to accept their suggestion.

Hon. Sir RICHARD SCOTT—There is another point that I would like to draw attention to, and that is the fact that you cannot stop the sale of any articles or derivatives effectively unless you prohibit them. The amount imported annually into Canada is more than sufficient for a population of 50,000,000. I have taken from the last Trade and Navigation Returns, items that were bought last year of morphine; in 1910 we

imported 1,585 ounces from Great Britain and a certain quantity from the United States. Of opium there were 259 pounds imported from Great Britain; there was in addition to that 3,576 pounds of crude opium imported, nearly two tons, enough, as I said, for all reasonable purposes for a population of over 50,000,000. Secretary Knox, of the United States government, in discussing this question, said that five ounces of cocaine was all that should be used in the United States; but he said the amount really imported into the United States in one way and another was 185,000 ounces, so that when you once allow insidious poisons of this kind to be imported into a country it is absolutely impossible to check it. In Quebec, they originally passed a very stringent Act, but they have modified it to suit some wholesale druggists. You cannot surround a law of this kind with sufficient safeguards to completely enforce it. The government ought to take power to stop the importation into the country. So long as you import two tons into the country, where drachms and grains are sufficient, it will be put to an improper use. I draw attention to the futility of this class of legislation unless you prohibit it.

On clause 3,

3. Every person, who, without lawful or reasonable excuse, imports, manufactures, sells, offers for sale, has in his possession, or takes or carries or causes to be taken or carried from any place in Canada to any other place in Canada, any drug for other than scientific or medicinal purposes, shall be liable upon summary conviction to a fine not exceeding five hundred dollars and costs, or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

Hon. Mr. POWER—When we were in committee on the Bill before, I suggested that it might be desirable to insert in line 27 after 'purposes' these words, 'shall be guilty of a criminal offence and.' The right hon. gentleman intimated that he had an expression of opinion from some prominent lawyer that these words were not necessary. I wish to say that our statutes are supposed to be made intelligible and to be easily understood by the ordinary citizen. It would not appear to the ordinary citizen that under this clause the importation was a criminal offence, and I suggest that words should be introduced making it clear to the ordinary reader that this is a crime, and consequently will come under the Criminal Code. I think it is desirable because the province of Ontario has legislated on some five different occasions in connection with the subject matter of this Bill. There is a chapter on the subject in the last edition of the Revised Statutes, and that chapter has been amended about four times. It is well, therefore, that we should, instead of undertaking to interfere with their legislation, strengthen and back them up. Similar legislation has just been passed by the legislature of Quebec, and we should make this offence a crime. I trust the right hon. gentleman will allow these words to be inserted. They cannot do any harm.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not think making a person who smokes opium a criminal is exactly the way of curing it.

Hon. Mr. POWER—I am dealing with clause 3.

Rt. Hon. Sir RICHARD CARTWRIGHT—The same objection would apply.

Hon. Mr. POWER—No, I think not; it is importing and selling.

Rt. Hon. Sir RICHARD CARTWRIGHT—As for the ordinary mortal, I think he would understand. If he was liable on summary conviction to a fine of $500 and imprisonment, he would guess that it was a crime without further explanation.

Hon. Sir RICHARD SCOTT—They have found it absolutely impossible elsewhere to carry out the law, unless special officers are appointed. 'The New York legislature, the Board of Health and the police,' says an influential journal, 'are banded to fight the habit but, nevertheless, $500 a day is spent for the drug along 7th Avenue, and one druggist was recently sent to prison for selling 100 ounces a day. All classes are affected by it, from newspaper boys to millionaires' sons and daughters.'

Hon. Mr. BEIQUE—I am quite in accord with the suggestion made by the hon. member from Halifax (Hon. Mr. Power). I would doubt very much that this Bill is within the power of parliament.

Rt. Hon. Sir RICHARD CARTWRIGHT —As this has passed through the Department of Justice, and is under the supervision of that department, they might be supposed to know whether it was or not.

Hon. Mr. KERR—We have found it necessary to amend their legislation several times.

Rt. Hon. Sir RICHARD CARTWRIGHT —What I want in these matters is that reasonable notice should be given of any amendment. If hon. gentlemen wish to amend, let them give notice of their amendments, and I will have them considered and we shall act on them afterwards. I consider it extremely bad policy to thrust in a lot of amendments in the Committee of the Whole without giving any opportunity to consider how they will work, or how they will affect the general policy of the Bill; particularly when the Bill has passed the House of Commons.

Hon. Mr. POWER—I do not think the fact that a measure has passed the House of Commons is any reason why we should not exercise our free judgment when it is before the Senate for consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT —Perhaps not, but I think it is good reason why notice should be given of amendments.

Hon. Mr. POWER—If I may be permitted; the right hon. gentleman is mistaken as to the practice of this House. There is no rule that requires notice to be given of an amendment in Committee of the Whole.

Rt. Hon. Sir RICHARD CARTWRIGHT —I did not say that there was.

Hon. Mr. POWER—That is the reason why we go into committee, because we are free to make amendments and to deal with the Bill as we please. If I had proposed to amend this Bill on the 3rd reading, then I should be obliged to give notice.

Hon. Mr. DANDURAND—Not for a public Bill.

Hon. Mr. POWER—No, for a private Bill; the hon. gentleman is quite right. I am a little surprised that the right hon. gentleman, who always stands on the side of freedom in debate, should take this comparatively narrow view of our rights. I may say further, that I called the attention of the right hon. gentleman to this proposed amendment when the Bill was in committee before, submitting the words to him, so that he cannot complain that he has been taken by surprise.

Hon. Mr. DANDURAND—It seems to me that the hon. gentleman is not taking a fair view of the suggestion made by the right hon. leader of this House, he having a Bill in charge, which is not of his own making, when he suggests that when a member has an amendment in mind and has had it for a few days, that he should give notice of it, put it on the Order Paper, or send him a copy of it, so that he may refer it to the proper authorities in order that they may see whether there is any objection to it. It does not limit to any extent the liberty of the hon. gentleman to proceed with his amendment, even if it is objected to by the right hon. gentleman, because I suppose this is a revising body and we retain our full independence in discussing legislation that comes before this House.

Hon. Mr. BEIQUE—I am quite in accord with what has been stated, but I must say that I am not in accord with the suggestion that because a lawyer in the Department of Justice may have expressed an opinion that such a thing is not necessary, therefore we should be bound by that opinion.

Rt. Hon. Sir RICHARD CARTWRIGHT— No, I do not pretend that you are.

Hon. Mr. BEIQUE—I think it is rather difficult to freely examine a Bill and when we consider, individually, that it is not within the jurisdiction of this parliament we should not be bound by the opinion of Mr. So and So because he happens to be in the Department of Justice.

Rt. Hon. Sir RICHARD CARTWRIGHT— I do not desire that my hon. friend should be so bound. All I ask is that in Bills of this nature, which, as my hon. friend beside me has truly observed, are of a highly technical character, such notice should be

given as would enable me to have the amendment fully considered. I was not aware that the hon. member from Halifax had brought this matter up. If he did, it has escaped my recollection. If he gave notice of it, of course that is another matter. That is one of the reasons why it is so very desirable that notice should be given in writing. I have observed a great deal of legislation introduced, not in this House, but in other places, in the Committee of the Whole, which was put in and which sometimes confused the other clauses of the Bill to an extraordinary extent, and I remember very well seeing a report of a very eminent judge in England in which, in reviewing certain legislation, he observed that clause which had been introduced in this way, appeared to have dropped in from Heaven or some other place into the Act, without the slightest reference to any of the other clauses thereof. I do not at all pretend to say that my hon. friend would introduce any such clause. He is a lawyer of high degree and would see that they harmonized; but what I ask—and I think it is a reasonable request—is that in a government Bill, when any important alteration is desired, (I am not speaking of verbal ones), we should have a little notice of them.

Hon. Mr. POWER—I concur that as a matter of practice that would be a desirable thing, but it is not a matter of right.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, I am not claiming it as a right. It is quite impossible to get through this Bill before six o'clock, and this is a matter on which I would want to confer with the department and also with the minister in charge.

Hon. Mr. CAMPBELL, from the Committee, reported that they had made some progress with the Bill and asked leave to sit again.

SECOND READING.

Bill (P-1) An Act to incorporate the Western Canal Company.—Hon. Mr. Campbell.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

THURSDAY, March 16, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SIMCOE, GREY AND BRUCE RAILWAY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (No. 83) An Act incorporating the Simcoe, Grey and Bruce Railway Company, with an amendment, and moved that the report be taken into consideration to-morrow.

He said: The amendment is substituting the standard clause adopted by the Committee of the Senate, for the clause which was printed in the Bill in connection with issuing securities on property other than the railway.

The motion was agreed to.

POPULARIZING OF CONSOLS.

MOTION.

Hon. Mr. DOMVILLE rose to call the attention of the government to the following extract:

FOR SMALL INVESTORS—BRITAIN WILL ATTEMPT TO POPULARIZE CONSOLS.

(Canadian Press Cable.)

London, January 24.—It is stated that the government is considering measures to popularize consols and make them easily available to small investors by issuing to bearer bonds in denominations of five and ten pounds. These may be purchased at post offices, where the coupons may also be cashed, free of income tax.

This reform has long been advocated as a means of arresting the continued decline in the price of consols, which heretofore, owing to difficulties of negotiation, have been held mainly by wealthy individuals and financial institutions.

And moved, that in the opinion of this House, this system should be adopted in Canada as a safe means to the public generally of investing small sums of money.

He said: I desire to call the attention of the government to the fact that large sums of money are on deposit in the banks and various financial institutions, on which

interest is paid at the rate of three and a half per cent.

Hon. Mr. DERBYSHIRE—Three per cent.

Hon. Mr. DOMVILLE—No, the government pays three, and the banks three and a half, and it was stated in committee that some institutions paid five per cent. Speaking roughly, there are about one thousand million dollars on deposit in various institutions in Canada to-day. I want to simplify the matter to the investor in this way: if an investor has $50, or $100, or whatever amount it may be, he should be able to go into the post office and buy a $50 consol with the coupons attached. This plan might hurt the financial institutions and interfere with the banks getting all the money they wanted. They have all the money they require at present. In the United States they have one hundred and forty million dollars of Canadian money on call, as the banks consider it best for them to loan it in that way. I cannot agree with their opinion. I want, if possible, to keep a great deal of that money in this country. If people could buy consols of small denomination they would have an available security and would run no risk of losing their money, and I believe the government can afford to pay three and a half per cent on the bonds. They can be inscribed or otherwise and small investors need not go to the Post Office Savings Bank and go through the formula of giving notice of withdrawal in order to get their money out. If their money is in consols they can go to any financial institution they please. A great deal of money representing the savings of the people are now on deposit in the banks or other institutions. I am not passing any strictures on the banks or on anybody else. The savings banks pay three and a half per cent on their money. Under the system that I propose, people could go into the post office with $50 or $100, and get bonds, put them in the pockets and go home, and they could cash the coupons when they were due. They would have the nation as security for their money; that they do not have to-day.

It might be worked by the government administering it through their savings banks. The time has come when the government can fairly pay the small investor in consols the same rate that is realized in England, three and one half per cent. I do not propose to bring in any motion on the question. I merely desire to place before the House my views on the subject. It helps circulation. The government have this money, and the bond exists for ever and passes from one hand to another, and is always good for its face value and the interest. It may be a novel proposition to the government, but I thought it should be brought to their attention, and they should say whether they think well of it. These small securities ought to be available to small investors at any time. I know that the government have the best interests of the country at heart, and I shall simply ask the right hon. leader of the government if he has any views on the subject. I do not intend to press the motion.

Rt. Hon. Sir RICHARD CARTWRIGHT—The matter which our hon. friend has brought up is one of very great interest, and everything that tends to place within the reach of the small investor an absolutely safe investment deserves our consideration. The question is one which particularly concerns my honoured colleague, the Minister of Finance, and which will be dealt with by his department. I would, therefore, say to the hon. gentleman who introduced it, and I will call the attention of the minister to the proposition, and no doubt, he will look into it carefully. We have taken some steps in the direction my hon. friend advises in the way of providing a good investment for the spare sums which are so apt to slip through people's hands, in the way of purchasing deferred annuities. I am in a position to state that it is being, to a considerable extent, availed of by all classes, except the one that we most particularly desire to benefit, and that is the ordinary wage-earner, although I hope to get them in in the process of time. The whole question, I think, has been more or less under the consideration of the Minister of Finance, and though I speak under correction,

and merely from recollection, I think in his last issue he permitted subscriptions to be made for small sums in connection with his loans in England. He would, therefore, seem to have more or less embraced and applied the principle of the motion which my hon. friend has introduced. I will see that the minister's attention is specially called to it.

Hon. Mr. MACDONALD (British Columbia)—I would like to ask the mover of this motion if the people can not now put their dollars into the post office savings bank and get three per cent annually? They can go to the banks of the country and they will give three per cent, with compound interest every six months. There are those two avenues open to the public. The chief thing is the post office savings bank, because the security is unquestioned, and I think meets the want that the hon. gentleman desires.

Hon. Mr. DOMVILLE—I want a negotiable security that will pass from hand to hand. You cannot take a savings bank book and buy a leg of mutton with it; but if you have a $50 government security that is available, you could pass that security from hand to hand and a man could put his money away in that shape and would always have it when the pinch was on; instead of having to go to the savings bank he could negotiate it. No doubt the savings bank is a good institution; but in my judgment, this is something that would be of more general convenience to the public. I am perfectly satisfied with what my right hon. friend the leader of the House has said. I know that the Finance Department will pay every attention to the matter, and give it every consideration.

ST. CHARLES RIVER BRIDGE.

MOTION.

Hon. Mr. LANDRY moved:

That an order of the House do issue for a return of all correspondence exchanged between the Department of Public Works and the Quebec City Council, its members, its officers or any other person with reference to the construction of a bridge on the St. Charles river within the limits of the city of Quebec.

The motion was agreed to.

THE STRANDING OF THE SHIP MANCHESTER ENGINEER.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the Table of this House, copy of all correspondence relating to the stranding in August, 1910, of the ship 'Manchester Engineer,' near the Straits of Belle Isle, and of the investigation held, with reference thereto at Quebec during the month of September or October last.

The motion was agreed to.

BOUNTIES TO GASPE FISHERMEN.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Since 1896, has the government, granted, in each year, the full amount of fishery bounties, to which the fishermen of the Gaspé peninsula are entitled?
2. How many times and in what years was a drawback made on these bounties?
3. What has been, in each case, the average of the drawback on these premiums?
4. For what purpose were these drawbacks made?
5. What use was made of them, and under the provisions of what Act were they thus diverted from their original destination?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answer to the first question is yes, and to the second, third, fourth and fifth, there have been no drawbacks made.

SPUR LINE FROM QUEBEC BRIDGE TO QUEBEC CITY.

INQUIRY.

Hon. Mr. LANDRY inquired:

What Act or section of an Act can the Transcontinental Railway Commission invoke for the expenditure of $17,026.25, on the spur line from the Quebec bridge to the city of the same name?

Rt. Hon. Sir RICHARD CARTWRIGHT—The reply supplied by the National Transcontinental Railway Commission is: What is called the spur line by this inquiry forms part of the main line of the eastern division of the National Transcontinental railway. It was transferred by the government to the commissioners of the Transcontinental railway under order in council dated the 23rd of June, 1910, for that purpose and the expenditure of $17,026.25 was made accordingly.

THE SENATE DEBATES.

Hon. Mr. POWER—Before the Orders of the Day are gone into, I wish to call the attention of the House to the very unsatisfactory condition that exists with respect to the debates of the Senate. We are supposed to get the revised version of our Debates within some three or four days of the delivery of the unrevised version. We did not get until about ten days ago any of the revised version. The reason given for that was that a speech delivered in French by an hon. gentleman in moving the address to His Excellency had not been translated into English. That difficulty was removed some considerable time ago, and shortly after the removal of that obstacle we were favoured with two formes—32 pages—of the revised debates, bringing the revised version down to the 24th of November. A very considerable time has elapsed, ten days or a fortnight, since these two formes were delivered, and we have received nothing further. Now this is the 16th of March. Instead of 32 pages, I understand some 400 pages have been sent to the printers, but we have nothing further from the Bureau than the two formes. It should be the duty of His Hon. the Speaker to instruct the Clerk to call upon the Printing Bureau to furnish what we have a right to; and I think that is more important, because a committee has been appointed to consider the Grain Bill and to take evidence and have that evidence printed from day to day, and the probabilities are that the printing of that evidence may to a certain extent delay the issue of the revised version of the 'Debates'. The Printing Bureau should be stimulated to let us have the revised edition of the 'Debates' before any other work is put in their hands.

The SPEAKER—I have always understood that the supervision of the printing of the 'Debates' was entrusted to a special committee of this House, and I supposed, therefore, that it would be impertinence on the part of the Speaker to interfere. If the chairman of the committee is here, I suppose he can give an explanation. If not, perhaps some member of the committee can. I do not see that I have any right whatever to interfere any more than any other member of the Senate.

Hon. Mr. POWER—The committee cannot do anything with it. The committee have seen that the reports have gone promptly to the Printing Bureau and when they have gone to the Printing Bureau, they are really out of the jurisdiction of the committee. The Clerk probably is the proper officer to ascertain why this unaccountable delay has taken place.

CHINESE IMMIGRATION ACT—AMENDMENT BILL.

THIRD READING.

The Order of the Day being called.

Third reading (Bill R) An act to amend the Chinese Immigration Act.

Rt. Hon. Sir RICHARD CARTWRIGHT—I promised to let my hon. friend opposite, and other hon. gentlemen know what the department thought on this subject. I presented it to them, but they are unwilling at present, for various reasons, to extend the scope of the Bill beyond the provisions which are before the House, and I, therefore, move the third reading of the Bill as it stands.

Hon. Sir MACKENZIE BOWELL—I was not present when the Bill went through committee; but it struck me that the number of people who are authorized to sign what we might call the passports are too many. Hon. gentlemen know, and so must every one who has paid any attention to the investigation which has taken place in British Columbia of late, that most of the frauds which have occurred have been through bogus passports. What I intended to suggest, had I been here—and perhaps my hon. friend would not have accepted it—was that it should be confined to one person in Hong Kong or such port from which Chinese immigrants might sail, the consul general or minister, whoever it might be, who represented the empire there, as the only person with power to issue these passports. By that means we would avoid a great deal of the difficulties and much of the frauds and forgeries which, it is proven beyond a doubt, have taken place in the past. I notice in the Bill itself that several parties are author-

ized to sign these documents; but if it were confined as I have indicated, to one person in authority, whose signature would be known in the different ports in British Columbia and in other places where the Chinese land in Canada, to my mind it would prevent a great deal of the frauds which have been committed in the past, unless the government have come to the conclusion to make it less difficult for Chinese to come into Canada. I do not propose to discuss that question just now; I have my own views upon that. I think that law is perhaps a little too rigid at present; but if the desire be, as I think it is on the part of those most interested, and the government, to prevent fraud in the future, I venture to make the suggestion that I have submitted.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my hon. friend examines the Bill he will see that considerable powers are reserved to the government and minister and controller. They are not required absolutely to accept the certificate; such evidence must be given as they deem sufficient.

Hon. Sir MACKENZIE BOWELL—That power has existed in the past, but difficulties have arisen owing to the fact that many officials have to decide what is a bona fide certificate.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will consider the matter and I can have the Bill so amended in the Commons if I find it necessary. My chief officer is just now in British Columbia, and I gave him instructions to make inquiry as to one or two of these matters. I am awaiting his report.

Hon. Sir MACKENZIE BOWELL—Those who have watched the tactics of the Chinese will come to the conclusion that it is difficult to prevent frauds which their ingenuity suggests to enable them to evade the law.

Rt. Hon. Sir RICHARD CARTWRIGHT —That we are ourselves well acquainted with.

The Bill was read the third time, and passed.

Hon. Sir MACKENZIE BOWELL.

THIRD READINGS.

Bill (No. 60) An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.—Hon. Mr. Belcourt.

Bill (No. 81) An Act to incorporate the Canadian Northern Branch Lines Company.—Hon. Mr. Young.

SECOND READINGS.

Bill (U-1) An Act to incorporate the Northwest Loan Company.—Hon. Mr. Watson.

Bill (V-1) An Act respecting The Alsek and Yukon Railway Company.—Hon. Mr. Bostock.

POLLUTION OF NAVIGABLE WATERS BILL.

DEBATE ON SECOND READING CONTINUED.

The order of the day being called:

Resuming the further adjourned debate on the motion of the Honourable Mr. Belcourt for the second reading (Bill I) An Act respecting the Pollution of Navigable Waters.— Rt. Hon. Sir Richard Cartwright.

Rt. Hon. Sir RICHARD CARTWRIGHT —Every one of us must feel that no subject can be more deserving of the consideration of the Parliament of Canada, than the object which is sought to be attained by this Bill. We have had, for many years, only too good evidence of the extreme danger that exists from the pollution of our streams and sources of water supply. In this city itself a great number of innocent persons have recently been struck down, and a very considerable number of deaths have occurred from clearly preventable causes, which I do not hesitate to say ought to have been prevented by the municipal authorities and others who are supposed to attend to the duties of preservation of health and other similar subjects.

But it is clear that no single municipality can properly deal with an evil of this magnitude, and, as I understand, the object the hon. gentleman has proposed to be attained by this is, first of all, to place in the hands of the government power to proclaim certain localities, in case of need, where it is clear that pollution of water

exists or is likely to exist, and also to prescribe sufficiently heavy penalties to prevent the offence continuing. Many years ago, I had some experience myself of the extreme difficulty of any individual, or even a government always enforcing what laws are made for the preservation of the purity of our streams and rivers. It is more years ago than I care to recollect since I put through a Bill to prevent the dumping of saw dust into navigable streams and rivers, and I very well remember that for a great number of years the opposing interests were far too strong for me, and year after year they used to get exemption for the streams of the Ottawa valley. Latterly, I believe, the law regarding mill refuse has been very much better enforced. It is clear that the whole subject will have to be taken up, and taken up in earnest both by the Dominion and the local authorities. If, as I understand, the object of my hon. friend who introduced the Bill is mainly to obtain our approval of the principle of it and then to refer it to the health committee of this House, I am sure that the Senate will concur with me in thinking that they could by no means be better employed than in endeavouring to bring about a better state of things. The subject is a large one beyond all doubt, and will require a good deal of careful consideration as to the means of enforcement both on the part of the Dominion government, and as I have said, the local legislatures and probably the municipal authorities as well; but no human being who has paid the slightest attention to the subject, and least of all any of us who have watched the spread of what I might almost call the epidemic now raging in Ottawa, can doubt that the time has arrived when very severe, and drastic measures if need be, should be had recourse to in order to prevent the continuous pollution of the water which is as yet the principal beverage of our people. Various penalties have been proposed, I am aware; but I do not think any of those are likely to meet with general acceptance. You will have to cure this evil by absolutely preventing the pollution of the waters if you are to have anything like a real and effectual reform, and take any effective steps for preventing the evil in the future. I have great pleasure, therefore, in supporting the motion of my hon. friend.

Hon. Mr. DANDURAND—I should like to join with the right hon. gentleman in congratulating the hon. member from Ottawa, the mover of this Bill, and the committee on public health on the good work that they have been doing in trying to find a solution for the difficulties which confront us. It is all the more timely to grapple with this question, that it will become more and more difficult to settle it as time goes by. The difficulty will increase in progressive ratio with the increase of population along the streams and rivers. Our present mode of dealing with the disposal of sewage of large towns and cities is the mode that was followed two thousand years ago in Italy and in the Roman capital. It was thought then, and for very many centuries, that sewage could be easily absorbed and purified in running waters. It was found by scientists, when they applied their study to the question, that running waters, whatever may have been the rapidity of the current, did not purify the sewage; that on the contrary the water continued to be polluted by the presence of the foreign matter. Many attempts have been made to successfully purify waters that receive the raw sewage of towns and cities along streams and rivers. An effort was made to treat the sewage by a chemical process, through the use of line or ferro-sulphite; but it was found that this treatment could only be successful when applied to small volumes of water. It was also thought that sewage of large cities could be purified by the earth absorbing it. Again it has been found that that system was insufficient in the generality of cases; that the earth could only act as a successful filter under very special conditions. Those conditions represent a very complex natural process which goes on in mother earth through the action of microbes transforming organic matter into mineral elements. The discoveries of Pasteur, and the studies and experiments that have been going on in the United States, Great Britain, France, and other countries have demonstrated that fact. Those three countries especially, have been experimenting actively for fifty

years; but the question has only progressed appreciably within the last quarter of a century. I have no data as to the result of the experiments which have been made in the United States; but I know that in a number of cities in England, among them Hampton, Sutton, Exeter, Yeovil, Accrington, Leeds and more especially at Manchester, which has about the population of Montreal to-day, large plants have been put up for the biological treatment of sewage. I am informed that those plants are not costly nor is their maintenance. They have in Manchester a large basin that receives the sewage, where it is brought to a high degree of fermentation, through the agency of certain microbes, which bring about the dissolution of organic matter. Those waters are then transferred into filters, which are covered by a bed of scoria or coke, peopled with another different world of microbes, which rapidly turn the residuary organic matter into soluble nitrates or mineral matter. Sewage so treated becomes fairly harmless, and can be returned to the streams or rivers. Manchester was thus treating, eight or ten years ago, some three hundred thousand cubic feet of sewage per day. The plant put up in that city was found to work satisfactorily. I have no data up to the present year. I am quite sure that it would be most interesting to know what has been the result of the experiments made up to date by the cities which have been working on this problem. I know that the sewage of Paris has been treated up to a few years ago, by being sedimented on a very large area of land, and quite successfully, although an effort has been made recently to purify the sewage of that large city by biological treatment. Some few years ago the city of Lille in France, which is a very prosperous industrial northern town, was simply infected with its own sewage, to the extent that typhoid fever was threatening the whole community. Although the saying is true that individual action is generally ineffectual as against the inertia of the masses, and of the public bodies, yet there are exceptions to all rules and in Lille a citizen was found with enough public spirit and energy to undertake a campaign for the purification of the streams which were being polluted above and through the city.

Hon. Mr. DANDURAND.

His work of education, of persuasion and of coercion had to extend to 93 municipalities. He succeeded in grouping into one association the 93 mayors of those corporations, and, after many years of struggle against private interests and so-called vested rights, he had the satisfaction of looking down upon cleaner waters running through his own city. That gentleman—Mr. Edmond Ory — is largely interested in western Canadian coal mines. I believe that our Committee on Public Health can render no greater service to Canada than to systematically gather all the data as to the experiments made in Europe and in the United States to protect streams and rivers from pollution. This information would be most valuable to our towns and cities when they are made to comply with the enactments contained in this Bill.

Hon. Mr POWER—Every one must sympathize with the hon. gentleman from Ottawa in the efforts which he is making to secure greater purity in the waters of our rivers. At the same time, I wish to preserve an open mind with respect to this Bill. There are many difficulties standing in the way of anything like an immediate carrying into effect of a measure as drastic in its provisions as this. I think the committee to whom this Bill will be referred should be careful to hear evidence on both sides of the question. Take for instance the city which has been used as an illustration by the hon. gentleman from De Lanaudière (Mr. Dandurand). In the first place, the hon. gentleman referred to Rome. Now, old Rome did not get its water for drinking purposes from the River Tiber, but brought it to a great extent, from lakes in the Alban Hills; consequently the Romans did not suffer from typhoid as they would have, had they drunk the polluted waters of the River Tiber. The hon. gentleman referred at some length to the city of Manchester, and the impression made upon the minds of his hearers would be that the drinking water was taken from the rivers Irwell and Mersey which flow by it. That, hon. gentlemen, is not the case. The drinking water which the people of Manchester use is brought from Thirlmere lake, a great many miles to the north of the city

of Manchester; and what Manchester did was a very laudable and proper thing. They wished to bring the rivers which flowed through the city into something nearer their natural condition than they had been; so that instead of being an eyesore, and giving forth objectionable odours they should be, at any rate, pleasant to look upon and not offensive to the senses. The city of Birmingham, which is a very up to date city, gets its water from the Welsh hills; and Liverpool to-day gets its water from the hills in Wales. I feel that, with respect to cities like Montreal and Ottawa, it will involve very great expenditure and a considerable length of time will elapse before the waters in the Ottawa and St. Lawrence will be looked upon as safe to be habitually drunk by the inhabitants of these cities.

Hon. Mr. EDWARDS—Why?

Hon. Mr. POWER—I will try and tell the hon. gentleman. There are certain considerations that suggest themselves. The hon. gentleman who has just sat down has referred to certain measures taken in Paris; but he stated it had been found, as the result of experience, that the spreading of sewage on the land did not meet with the success that had been hoped, and some other means had been adopted. We can see from the great difficulty which the authorities here in Ottawa seem to experience in supplying, at a crisis like this, suitable drinking water for the inhabitants, the difficulties there are in the way of securing that supply from sources as polluted as the Ottawa river. I am disposed to think that in any case the wiser plan for Ottawa and Montreal would be to get their drinking water, as is done by the English cities, from lakes in the neighbourhood of these cities. It must be borne in mind that although you may adopt stringent measures which will prevent the inhabitants of the city of Ottawa from allowing the sewage to go into the river, and I hardly know what steps could be taken that would operate immediately for that purpose, but even suppose you do; all through the country there are little rivulets running into larger streams which afterwards find their way into a river such as the Ottawa, and every one of these little rivulets is liable to be polluted by the soakage from stables and other sources of corruption. These little rivulets which run through a farm carry the contamination into a creek or larger stream, and it is thus carried on into a river like the Ottawa. It is not an effective remedy to put an end to the pollution at a city like Ottawa. Unless you secure the purity of the water before it comes to the city, it will not be effective. I think it is a work that will take a great deal of time and involve a very great expense, and will very considerably upset all the arrangements which prevail among the farmers and other people living in the neighbourhood of these rivers. I make these remarks, not because I am unfriendly to the object of the Bill; I am most friendly to it, but in order to indicate to the members of the committee one or two of the difficulties which they may find in the way of turning this measure into one capable of being adopted and acted upon with a reasonable degree of promptness.

Hon. Mr. EDWARDS—The benefits which will accrue from this Bill, in so far as I can observe, are these: In years gone by, and up to the present time, it was and is the practice of all the cities in Canada to dispose of their sewage in such manner that it ultimately empties into the small streams and finally into the large rivers. If a law like this is placed on the statute-book, and it is declared by the government that hereafter such a practice shall not be permitted, so far as any systems of sewage disposal created hereafter are concerned, a great step will be taken, because the country is being rapidly populated. In the past, with our small population and large streams, there was not any great danger of very serious pollution, because the rivers can absorb a certain quantity of sewage without any serious danger; but as our population increases, looking to the future, the danger hereafter will be far greater than the danger in the past. It would, therefore, be highly desirable that such a law should be put upon the statute-book, to provide that what has occurred in the past shall not occur in the future; but in so far as cities are concerned, which are

to-day discharging all their sewage into the rivers, I admit at once a great difficulty will exist. Notification can be given to such cities to provide better means of disposing of their sewage. Referring to the Ottawa river, which my hon. friend has just mentioned, I think there is a misapprehension. All the sewage that has ever gone into the Ottawa river above the city up to the present time can have done no damage to any one. It is possible that at this moment Ottawa may be suffering from its own sewage, but not from the sewage of the towns above. The conditions of the Ottawa river are ideal. In a great many places enormous expense is gone to in order to create just such an admirable condition as exists at Ottawa for the obtaining of the very best character of water. The rapids in the Ottawa river constitute one of the very best conditions. We have several rapids a short distance above Ottawa, and the water goes into a large bay. I am quite sure that if any pollution exists that is doing damage to-day in the city of Ottawa, it is by the city of Ottawa itself, and not by the towns above Ottawa. The Ottawa river water is a splendid water, and if the people are suffering to-day it is from their own fault rather than the fault of others. Ottawa discharges its own sewage into the river, and immediately below the city the inhabitants are using the Ottawa river water and nothing else for drinking purposes, and up to date there has been no suffering below the city, simply because of the large size of the stream, and because of its possibilities of disposing of the sewage. But with the larger population which Ottawa will contain in a few years, there may be danger of pollution in seasons of very low water, and it is highly desirable that such a law should be placed upon the statute-book now. The Canadian people should wake up to the danger that will exist when the country is very much more populous than it is to-day. Therefore, I am in sympathy with the proposed law.

Hon. Mr. THOMPSON—How can the sewage of the city of Ottawa get into the intake pipe of the water service? The city of Fredericton suffered from just such an epidemic as now prevails in Ottawa, some few years ago, on the river St. John. It was largely due, possibly, to the condition of the season, when the river was extremely low, and decomposition of dead vegetable matter affected the drinking water; but we have succeeded in entirely eliminating typhoid in Fredericton by the introduction of a filtration system, costing $5,000 or $6,000, and since that time typhoid fever has seldom, if ever, been known in the city. I am satisfied that each city can protect itself by proper filtration of its water supply; but unless sewage gets into the intake pipe I cannot see how it would affect the water service.,

Hon. Mr. EDWARDS—The hon. gentleman has referred to a matter which I will endeavour to explain. If there is any sewage which is being discharged into the river above the intake pipe it would affect it. I think it is very commendable indeed for a city the size of Fredericton to have done as the hon. gentleman has described. Ottawa is thinking of doing the same thing. A great misapprehension exists in so far as the same typhoid epidemic is concerned. We hear a great deal of Ottawa to-day but we do not hear very much of Montreal or Toronto. Typhoid, scarlet fever and diphtheria are very prevalent in Toronto; and in Montreal, in one single hospital, there are 250 cases of typhoid fever.

Hon. Mr. CAMPBELL—Not this year—not in Toronto.

Hon. Mr. EDWARDS—Yes, I beg pardon. I know parties in Toronto who are suffering from typhoid fever, and my information from Montreal is from one of the nurses in the hospital, that there are 250 cases.

Hon. Mr. BEIQUE—They are Ottawa patients.

Hon. Mr. EDWARDS—It is not ascertained yet, but it is a very desirable thing we should ascertain, and I hope the authorities will do what they can to ascertain what the source of typhoid fever is in Ottawa. It is not yet determined that it is from the Ottawa river water, for the reason that in many cases of typhoid fever the patients are those who have not drunk Ottawa water for many years, and in many other cases reported the parties have been

drinking water which has been sterilized. Therefore, the question as to the source of typhoid in Ottawa is undetermined. We all know, however, that the pollution of streams is a very undesirable thing, and, looking forward to the future of Canada, we should take warning in time and guard the future of this country from danger in that respect.

Hon. Mr. DAVID—I should not like to dispel the illusions of the hon. gentleman from Ottawa, nor the admiration which he entertains respecting his beloved river, which he has adorned by his activity. This has been a troublesome question in Montreal for some years. In order to determine the cause of the pollution of the water which flows by the city of Montreal, and which was considered the cause of the typhoid cases which have prevailed to a great extent in that city, experts were appointed to analyse the water supply. The question was whether the waters were polluted by the Ottawa river or the St. Lawrence river. Analyses have been made, and it has been established that the waters of the Ottawa were the principal cause of the contamination of the water supply of Montreal. It was found also that the St. Lawrence had a good share of blame for the pollution although I am obliged to say that the Ottawa is mainly responsible for the contamination of our water. That is why I have some doubt as to the application of the law. How would it apply to the case of Montreal which is supplied with water from two rivers which flow past, I do not know how many towns and villages, water which is polluted to a great extent by people living above the city of Montreal? Who are the guilty parties, and which municipality will be held responsible for the contamination of the water? A great part of the pollution is caused by people living on the United States side of the river. I do not say that to show that the law is not good, or cannot be enforced. The principle is sound, and everybody in this country will be glad to see it made law. We are all interested in preserving the health of our people, and are prepared to do everything necessary for that purpose.

Hon. Mr. EDWARDS—The village of Rockland is 23 miles below Ottawa. Rockland, with a population of over 3,000, has for many years been taking its water supply from the Ottawa river. Occasionally there have been cases of typhoid, but never an epidemic. If the Ottawa were a small or more sluggish stream, the consequences would be very much worse; but I do not think the Ottawa sewage gets the distance of Montreal, or, if it does, it jumps Rockland. My hon. friend I thing is a little astray. A very severe typhoid epidemic took place in Montreal a couple of years ago. Montreal has two sources of water supply, the St. Lawrence and the Ottawa. In that instance, most of the cases were in that portion of the city supplied with water from the St. Lawrence; but the St. Lawrence was not blameable, it was another case of a city polluting itself. The intake is between Lachine and Montreal, and it was a case, as it may be proved to be the case here, of the immediate surroundings of the city being the cause of the pollution. In that portion of the city which was supplied with water from the Ottawa river, the cases of typhoid were very few indeed.

Hon. Mr. BEIQUE—I had occasion to be engaged in a case where several months were spent in taking expert evidence on that question, and we had evidence as to the quality of the water from the St. Lawrence, and the water from the Ottawa. The evidence was incontrovertible that the water of the Back river, which is part of the Ottawa river, is very much worse than that of the St. Lawrence. I am quite in accord with the hon. gentleman from Ottawa that it is not likely that the source of the pollution goes above Ottawa, and that is my opinion from the evidence I heard from scientific gentlemen. It is ascertained that rapids of five or six miles purify water, and the Ottawa river above Ottawa is in such a condition in that respect that I would think the water would be purified to a considerable extent before it reaches this city. But that is aside from the question, and should not engage our attention as much as the Bill itself. I had not intended to speak, but too much atten-

tion cannot be given to a measure of this kind by this branch of parliament. Our ideal should be not only to purify the water of large cities, but to purify the water everywhere, by preventing manure from all sources getting into the rivers. It should be kept for enriching the soil instead of poisoning the water. I cannot say that I have given the Bill enough attention to advocate that it should be adopted in its present form. On the contrary, it will require considerable study. We must be sure that such legislation as we adopt is proper legislation and will have all the flexibility required to permit the application of the law as soon as possible, and its partial application, because there is no doubt it will take a great many years before it can be applied universally. But nothing should prevent it being applied partially, and the sooner that can be done the better. I quite agree with what I understand is the object of the hon. promoter of the Bill, to send it to the Health Committee, where it should receive the best attention, and then it should be incorporated into our statutes as soon as possible. Let us try to make as progressive a measure as we can, and profit by the experience of other countries where they have studied the question and have laws on the subject that are satisfactory in their operation. The hon. gentleman from Halifax referred to the source of water supply in different cities. That is not a satisfactory answer to the problem, because it is not only the inhabitants of cities that are to be protected, but the inhabitants of the country around these cities. Suppose Montreal or Ottawa were to get their supply from the lakes, that would not help the inhabitants in the neighbourhod of those cities, and they should not be neglected because the inhabitants of the cities are protected.

Hon. Mr. CAMPBELL—I have already expressed myself on this Bill, but I desire to correct a wrong impression made by the hon. gentleman for Ottawa (Mr. Belcourt) in reference to the cities of Toronto and Montreal. I cannot speak for Montreal, but I do say that in the city of Toronto there is no epidemic of typhoid fever. There is no doubt there are cases of sickness, as there always are in a large city, and the drinking water of Toronto probably is not as pure as the people would desire it to be; but it does not help Ottawa to blacken the character of Toronto or Montreal. Therefore, I think the hon. gentleman, in pressing his argument, should have confined himself to the city of Ottawa and not try to cast a stone at the adjoining cities of Toronto and Montreal.

Hon. Sir RICHARD SCOTT—I rise to correct the opinion of the hon. gentleman from Rideau division (Mr. Edwards) that the rapids will remove the danger of pollution or reduce it. My reading on the subject leads me to a very different conclusion. My attention was first drawn to the bacillus of typhoid twenty-five years ago, when an epidemic occurred on the Schuylkill river some distance north of Philadelphia. An outbreak of typhoid took place, and an extensive inquiry was made, but they could not discover the cause. Subsequently, some distance up the river, it was found that a man had had typhoid fever, and the excrement from the patient was thrown on the bank of the river in the spring of the year and it drifted down into the water supply and from that single case this distribution of typhoid arose. It was quite recognized by the bacteriologists that colon bacilli multiply, not by millions, but by billions. Philadelphia has been spending more money than any other city to secure a pure water supply. Upon the Schuylkill, where the population is dense, an effort has been made to discover the people who throw excreta into the water. The evidence of the extraordinary distribution of the bacilli came under my attention a short time ago in an address delivered by Dr. Wyley, who is recognized as one of the foremost authorities on the subject in the United States. He is at the head of the department in connection with health at Washington. He first referred to a case in Kentucky, where typhoid spread rapidly. Efforts were made to discover the cause, and for some time they were obliged to give it up. Finally they thought of a well some fifteen miles away that might possibly be the guilty source. They decided to colour the waters of the well, and, some

days after, waters slightly discoloured from the tinting of this well were found on the surface of the earth. It had percolated for fifteen miles through the earth. They found out that the typhoid had come from that well. That is an instance showing the extraordinary dissemination of this disease. There is abundance of evidence to the same effect if hon. gentlemen choose to look it up. Therefore, it is quite impossible for one city to protect itself unless you make a general law, as is proposed in this Bill. The pollution of the waters of our towns and cities can be stopped; it is merely a matter of money. They do it in many countries. The evidence given by the hon. gentleman who introduced this Bill of what has been done in Belgium and other countries, where they have not got the wealth or opportunities that we have to carry out these reforms, goes to show that it can be done here by the adoption of the same simple methods. I do not hesitate to say that a case of typhoid occurring one hundred miles up the Ottawa river might distribute the disease in this city. You cannot see the bacilli with a powerful glass. Water might appear to be absolutely clear and yet contain millions; therefore the effect of the bacilli once getting into the water is most alarming. Everybody admits that typhoid is a preventable disease. My own theory is perhaps a little too much advanced for most people to appreciate. In a letter I sent to the press yesterday I gave it as my opinion, after many years of experience, that we are immune to bacilli, if the condition of our system is normal.

Hon. Mr. BELCOURT—It is all a matter of resistance.

Hon. Sir RICHARD SCOTT—The bacilli are in the large and small intestines, and unless there is a breeding ground there for them they will pass out through the system in the same way as the other injurious elements. If persons get into a condition that the food consumed is not digested and ferments in the small intestine, the effect of the fermentation there is just the same as it would be out in the open air. It creates maggots just the same, and it is in such cases that the development of the bacilli will take effect. However, that is a larger subject than I intend to speak of just now. We are all indebted to my hon. friend (Hon. Mr. Belcourt) for introducing this Bill. It is of the greatest importance that some solution should be reached through the federal and provincial governments, so that in the future we shall avoid the pollution of our waters and streams. The Ottawa river is one of the purest and most wholesome bodies of water that we have anywhere. I was sorry to notice that Mr. Hazen is advising the people of Ottawa to apply chemical treatment to the Ottawa river water. That, in my judgment, would destroy its value as a water. The softer the water the better it is for our bowels. In the water cure system of treating diseases, you can bring about results with rainwater that you could not bring about with waters of the St. Lawrence or the upper lakes, because there is so much mineral substances in them. Under the influence of pure rainwater that comes from heaven, the system will act much better than with any other water.

Hon. Mr. BOYER—Would the House allow me to draw the attention of the hon. gentleman from Rockland (Hon. Mr. Edwards) to the statements he made, that the drinking water of Montreal was very likely polluted by sewage from Lachine. I happen to have lived all my life in Lachine and I know that we do not drain into the river. The entrance to the Lachine canal is at the east end. The government have a dam about a mile and a half long to force the water of the river into the canal, and in order to drain Lachine the government built a drain about four miles long. This drain runs almost parallel to the Grand Trunk line, and enters into the Lachine canal and into the Gregory river, and then into the St. Lawrence, so that the pollution of the Montreal drinking water by the sewage of Lachine is an impossibility. It is true we are endeavouring to put our intake pipe as far out into the river as possible, so as to get the water from the St. Lawrence. A great mistake was made in the former system by taking the water alongside the shore. We have two rivers running past Montreal, the Ottawa on the north and on the south the

majestic St. Lawrence. If you visit Montreal this winter you will find that we are drinking nothing else but the St. Lawrence river water, for the simple reason that there is an ice dam about sixteen miles west of Lachine between Ile Perrot and the Beauharnois shore. The ice jam is about 40 feet thick. In the summer time the waters of Lake of Two Mountains runs into the St. Lawrence between Ile Perrot and the main line of the shore. To-day the reverse takes place, the difference in level between the Lake of Two Mountains and the river St. Lawrence is about ten feet, and the St. Lawrence is running backwards into the Lake of Two Mountains, and down the Back river, and in Montreal we are getting the purest and clearest of green water. My hon. friend mentioned the fact of Manchester purifying its sewage. I lived in Manchester for some time, when there was a great discussion among the scientific people of that city as to what distance it would take for sewage water to purify itself. Some people advanced the theory that 100 yards of rapid running water would purify the water, so that at the end of 100 yards it would be fit to drink. The man who advanced that theory would not try it.

Hon. Mr. BELCOURT—Did the hon. gentleman try it?

Hon. Mr. BOYER—No. If you take the water supply coming to Montreal down the St. Lawrence from Coteau Landing to the foot of the Cascade Rapids, there is 90 feet of a fall. The only large city to the west of that is Cornwall, and that is the only place that could send down any pollution. Between Cornwall and the head of the Coteau Rapids is exactly thirty-five miles. You have 90 feet of a fall, and four big rapids, between the Coteau rapids and the foot of the Beauharnois canal and then you have Lake St. Louis, and where can the pollution come from if the water purifies itself in a mile? We had an epidemic of typhoid fever in Montreal two years ago, and it was purely local, just as it appears at present to be purely local in Ottawa. As my hon. friend has mentioned, every small town and every small village below Ottawa is at present immune from typhoid fever. I know a village at Lake of Two Mountains where the water this winter has been exceedingly low and the people drink the Ottawa river water and they have not had a single case of typhoid fever. The Bill that has been introduced will be of immense advantage; but how to enforce it will be a rather difficult proposal. How are all these small villages bordering on the Ottawa river to drain themselves? Sometimes there are four or five miles between each village, and the question will be who shall build the drains? The question of preserving our waters and of restoring our rivers to all their beauty and clearness, is a step forward and the hon. gentleman who introduced the Bill is to be congratulated for having brought the subject to the attention of the public. I am very much afraid, however, that there will be war between each village and small town. Each one of them will want the other to pay the expense, and they will say that they do not contribute to the pollution of the waters.

Hon. Mr. De VEBER—I have no serious intention of speaking at any great length upon this subject, I am not going to touch upon it from a scientific point of view. It was thoroughly discussed last session, so much so that I think every member of the House must be convinced that some such legislation is not only absolutely necessary, but imperative. Just a few words to show what led up to the introduction of this Bill. Hon. gentlemen may remember that some few years ago, on the motion of the Hon. Sir George Ross, several new committees were added to this House, one was known as the Committee on Public Health and Inspection of Food. The committee met and organized, and being fully sensible of their duties, cast about for some subject to investigate. The disposal of sewage by cities, towns and villages, and the pollution of streams seemed to be a very burning question, and it appealed to the committee, and they decided to investigate. They applied to the House for the power to cite persons, and they asked for a small grant of money. Both of these were granted and they proceeded with the investigation. A number of men prominent in their profession, who

had studied this subject all their lives, appeared before the committee. This evidence was considered of such a high character, and of such importance, that it was ordered, by the House, to be printed, between the end of that session and the beginning of the next, when it was handed in in printed form. The hon. member for Ottawa (Hon. Mr. Belcourt) chanced upon one of the typewritten copies of the evidence, and he was so seized with the serious danger to the country that he introduced his Bill of last session.

Hon. Mr. BELCOURT—That is not correct. I had not the slightest intimation that the committee had made any report.

Hon. Mr. DE VEBER—I am not saying we had made a report.

Hon. Mr. BELCOURT—I did not know of the existence of any report by this committee or any other committee, when I introduced the Bill. After the Bill was introduced, the Clerk of the House called my attention to the fact that he had in his hand the manuscript report from the committee of which my hon. friend is chairman, and he volunteered to let me see it.

Hon. Mr. DE VEBER—I was simply explaining why I opposed the Bill introduced by the hon. gentleman last year. I was leading up to an explanation. The hon. gentleman introduced a Bill, and it was opposed by the House generally, by the committee and by myself, not because we were not in accord with the principle of the Bill, not because we did not think it was necessary, but because we thought it was premature and ill-advised. In our investigation we came across some serious obstacles, things which might have made trouble in the country if such a Bill had been passed last year. We thought it was better to take a way that would gain the end without any friction, and after consultation the hon. gentleman very kindly withdrew his Bill with the understanding that it was to go to the Conservation Commission, with the report of the committee. We came to the conclusion that the Conservation Commission was formed for just such a purpose as that. It was non-political and had plenty of time to take action. Our report passed the House and was sent to the Conservation Commission, and the hon. gentleman's Bill was sent with it. The commission were asked to take action, which they immediately did, by calling a meeting of the representatives of the different provinces in October last, at which I was present. In all conventions of this kind they divide themselves up into sub-committees. One sub-committee was on the pollution of waters, and this is the report of the chairman of the conference:

Your committe on the pollution of Interprovincial and International Water begs leave to report that:

Whereas the pollution of the waterways of the Dominion by raw sewage and factory wastes is a menace to the health of the public generally by reason of the contamination of public water supplies as indicated by the excessive mortality from enteric (typhoid) fever alone, and by the evidence taken and the report made by the Public Health and Inspection of Food Committee of the Senate of the Dominion of Canada; and

Whereas the maintenance of the permanent purity of public water supplies is a matter of national importance affecting as it does every citizen whether a resident of our cities and towns or of our rural districts; and

Whereas the Provincial Health authorities have jurisdiction only over those waterways lying within the interprovincial boundaries, and are unable to protect those resident therein against pollution which may happen, either in a contiguous province, or in an adjoining country; and

Whereas in some instances these pollutions are great, many being widespread by reason of the immensity of our international waterways upon which there are annually carried some ten millions of people;

The conference of the Dominion and Provincial Health Officer recommends;

That the government of the Dominion of Canada enact a law prohibiting and penalizing the deposition of raw sewage, garbage and factory wastes in the waterways of Canada and in waters tributary thereto, along the lines of the draft bill herewith, such act to be administered by the Minister of Agriculture.

Enclosed with this is the draft Bill from which I understand the hon. gentleman's Bill is framed.

2. That the provinces be requested to give effect to such legislation, so that there shall be no conflict of such jurisdiction between the Dominion and Provincial government in regard to these matters.

Then there is a section from the Saskatchewan Bill which was asked to be included by all the provinces. This docu-

ment is signed by John W. McCullough, convener of the committee, who was the health officer of the province of Ontario, and also by Mr. Wood, the representative of Manitoba at that convention. So that by the meeting of this convention held by the Conservation Commission, you have the opinion voiced by all the provinces that the Dominion government should pass such legislation as this in order that the legislation should be uniform from the Atlantic to the Pacific. Without uniformity, legislation cannot be effective. Before the passage of this Bill how do we stand in regard to laws upon the subject? This Act is nothing new. It is simply new as a Dominion Act. If you look back in any one of the Acts passed in regard to this subject by the different provinces you will find laws to prevent pollution. The Nova Scotia Act provides:

No person shall put in any place, on land or water, any offensive matter or thing likely to endanger the public health, under a penalty not exceeding twenty dollars for each offence, and if any person suffers any such matter or thing to remain upon his premises after notice in writing requiring him to remove the same, the sanitary inspector may remove the same, under the direction of the local board and at the charge of the owner or occupant of such place.

The western provinces have all made similar provisions. The Alberta Act provides that:

When the construction, alterations or extension of a common sewer or system of public sewerage shall be contemplated by the municipal council of any municipality, village, or by any person or body corporate, such council, person, or body corporate shall submit to the provincial board all plans and specifications in connection with the construction, alteration or extension of such common sewer or system of sewerage and in connection with the purification and disposal of the sewage.

Section 6 of the Ontario Act provides:

6. No sewage, domestic or factory refuse, excremental or other polluting matter of any kind whatsoever, which, either by itself or in connection with other matter, corrupts or impairs, or may corrupt or impair, the quality of the water of any source of any public water supply for domestic use in any city, town, incorporated village or other municipality, or which renders, or may render, such water injurious to health, shall be placed in or discharged into the waters, or placed or deposited upon the ice of such source of water supply, near the place from which any such municipality shall or may obtain its supply of water for domestic use, nor shall any sewage, drainage, domestic or factory waste or refuse, excremental or other polluting matter be placed or suffered to remain upon the bank or shore of any such source of water supply near the place from which such municipality shall or may obtain its supply of water for domestic use as aforesaid, nor within such distance thereof as may be considered unsafe by the Provincial Board of Health, after an examination thereof by a member or officer of the said Board, and any person who shall offend against any provision of this section upon summary conviction shall be liable to a penalty of not more than $100 for each offence, and each week's continuance after notice by the Provincial Board of Health or Local Board of Health, to abate or remove the same shall constitute a separate offence.

You cannot empty anything into any of the lakes, rivers or streams in any of the provinces with the exception of New Brunswick. That one province has not placed in the hands of the provincial health authorities power to prevent the pollution of rivers. But in all these provincial Acts there is some difference, and the consensus of opinion of the representatives of the provinces that met here was that the law should be made uniform, and the only way it could be made uniform was by Dominion legislation. Without any Act at all, I presume, under the common law, the Dominion of Canada, which practically controls all navigable streams, would have recourse against the provinces which pollute streams by allowing sewage to flow into navigable waters. I think it is the law of eminent domain they call it, that would give them recourse against the provinces and under which they could obtain damages for the pollution of navigable waters. But if we have one uniform law enforced by the Dominion I think we will have little or no trouble. It is no use if one province legislates while the neighbouring province does not. For instance, there is no use in Saskatchewan legislating in regard to the pollution of streams unless we in Alberta have the same law, because every drop of water in Saskatchewan comes from Alberta. In the same way what would be the use of Ontario passing an Act against the pollution of the Ottawa and its tributaries, unless Quebec on the other side of the Ottawa had a law identical with it? Or what would be the good of the Dominion government enforcing the protection on international streams unless the United States had exactly the same law. We have

an agreement, I think, between England and the United States in regard to the protection of waters defined as boundary waters, and waters flowing across the boundary, from pollution. This gives good basis for an agreement between the Dominion and the United States.

Hon. Sir RICHARD SCOTT—It is one of the subjects to be brought up at the Hague in May, I understand.

Hon. Mr. De VEBER—As to the Bill itself, I have been told that hardships may arise under some of its provisions, but such hardships can be avoided. For instance, one man asked me: 'if this Act comes in force what will Ottawa do? It discharges its sewage into the Ottawa, and it would be hard to fine the city so much per day for something which they cannot possibly prevent.' There is a clause in the Bill which covers that. It provides that when the Act comes into force the Ottawa people may say: 'We cannot comply with the regulation.' The city will then be asked how long it will take to enable them to comply. The answer may be: 'Two years.' The minister will have power to say: 'I will give you two years, and if by that time you have not remedied the evil, the Act will be put in operation in regard to it.' For instance, if Montreal had to put in a sewage disposal plant, it would take longer than to instal one at Ottawa. Some of our friends have spoken about running water purification. Anybody that believes in running water purifying itself from bacilli is a fossil. He has not read anything for a great many years. That theory was exploded years and years ago. I will admit that a certain amount of organic matter placed in solution in a river will purify itself in time of matters offensive to taste and smell. There may be a certain amount at a point in the river. You go down a few miles and you find the taste and smell have totally disappeared, but if you make a chemical test you will find that you have your organic matter there still. If you go still further below you will find each time that your reaction with your chemicals gets less, and at a certain distance all organic matter will have disappeared, and by smell and taste the water is as pure as before the organic matter entered in. But that has nothing to do with the case of typhoid fever or any of these diseases. It is not the organic matter that causes it; it is the bacilli that come from a former case. I have here a little book written, not for scientific men, but for the general public. It is one of the latest out. I have never seen the thing described in better language or more concisely, and I should like to read a few sentences to show how easy it is to start, not an epidemic, but an outbreak of typhoid:

On the 'Campagna,' still dominating the soft Italian landscape, stand the great aqueducts by which water was brought to the imperial city. In the time of the Roman engineers, the necessity of an adequate supply of water was recognized; yet even to the present day, quantity of water has been the first step, and quality, when considered at all, the second. In no place has this condition been more apparent than in the United States. England, by her wide-reaching systems of great reservoirs fed by the waters of small streams; France and Austria, by their mountain-spring supplies, necessitating hundreds of miles of aqueducts, trailing their way from the upper slopes through meadows and vineyards to the towns and cities; Germany, with her enormous purification plants for treating polluted river water,—all have taken more national interest in the problems of public water-supply than has the United States. In this country there are many excellent water supplies, but there are many others still existing in a most imperfect state, furnishing with every gallon of water the possibilities of disease.

Great bodies of men have concentrated in the cities during the last half century. With this concentration centres of population have emerged from the condition where every man's water-supply was his well, his sewage-plant the cesspool in his own yard; and, with many another collective change, we have come to a common source of water and a common disposal of sewage. To guard the purity of the common water and to insure safe methods of sewage disposal is a great task, for without such guardianship, grave and deadly danger is at the city's side. A single failure of this sort may well recall the gravity of the problem.

In April, 1885, the town of Plymouth, Pensylvania, contained some eight thousand men, women and children. The general health was excellent, and the water-supply from a clear mountain spring far above the town, seemed unsually good. Like a whirlwind came the plague. Out of that eight thousand, eleven hundred and four contracted typhoid fever, and one hundred and fourteen died. Rich and poor alike were taken, and through every part of the town, highlands as well as lowlands, the fever raged. And this terror came from a single case of typhoid, brought back from a great city whose polluted waters caused the fever. This case existed in one of

the only two houses that could contaminate the water-system. From this source came the decimation of the little town far below. The story of such water-borne epidemics as this, and the solution of the problem of prevention by the sanitary engineer, form one of the most fascinating chapters in the never-ending war against disease.

Disease is ordinarily caused by pre-existing disease in man or another animal. Here is a bold statement that is often forgotten. Typhoid fever and Asiatic cholera from the intestinal germs of former cases, scarlet fever and measles from the skin-excretions of convalescing patients; yellow fever and malaria through the mosquito in which the disease-germs pass a portion of their life,—case after case of the truth of this theory might be cited. Moreover, if we accept the germ of theory of disease we must believe that many cases of ailments owe their origin to certain definite micro-organisms, each of which belongs specifically to a separate disease. It is well known that these bacteria, entering the body in sufficient numbers find there a comfortable lodging-place where they may grow and multiply. A peculiarly favourable ground for the cultivation of certain micro-organisms is furnished by the alimentary canal. Water is the chief substance to pass through this channel. Typhoid fever and asiatic cholera are water borne. Water pouring from the hillside down to the lake or river has no selective power by which it can avoid carrying on disease germs in its path. Evidently it is of vital importance for us to know the possibilities of disease in water and how prevention may be secured.

Hon. Mr. MACDONALD (British Columbia)—The house contaminated the water.

Hon. Mr. DE VEBER—The typhoid germ, or bacillus, or whatever you chose to call it, is not generated from organic matter. It is not generated from vegetable matter. It comes per se from itself, from the emanations of another typhoid. When you are examining for colon bacilli and pollution of the water, you simply find the colon bacilli, and water that is conducive to the growth and well being of typhoid bacilli. You do not necessarily find the typhoid bacillus there; but that is where he lives, and if you swallow him and you happen to be in a certain condition, not strong enough to fight the trouble off, you are going to have typhoid fever.

Hon. Mr. MACDONALD (British Columbia)—Where do the bacilli come from in the first case?

Hon. Mr. DE VEBER—From case to case. My hon. friend from Rockland (Hon. Mr. Edwards) seems to think that the people below Ottawa should not be at all alarmed at the city of Ottawa emptying their sewage into the Ottawa river, and claims that it has never done any harm to the people below. I do not know very much about the people below—probably it might be a lumbering village. I have seen quite a few lumbering jacks, and they are quite willing to have all the water outside, all they can get and live on it, but they do not absorb much internally, and in order to get typhoid fever they have to swallow it. I figured out about what amount of sewage Ottawa is putting into the river every twenty-four hours. Each man, woman and child in the city will pass on an average about two and one-half ounces of excrement, and 40 to 50 ounces of urine. This goes into the sewers. That amounts to a little over 200,000 pounds of actual solid waste from the human being that is going into the sewers daily. Besides that, there is all the waste matter that is thrown out, horse manure and all this material in the city going into these sewers. This is diluted by about from eight to ten million gallons of water. The lowest supply that is set apart in most cities—that is the number of gallons per head—would be about 30, and in New York it runs up to about 200 pounds. We will suppose that Ottawa would run from 60 to 80 gallons per capita per day. You would have about 5,000,000 gallons of water with this stuff in solution emptied into the Ottawa river every 24 hours. Of course my hon. friend knows more than I do about the situation of things below Ottawa on the Ottawa river; but I have spoken to some people about it, and they said they did not think the people down there dared to drink the river water; that fortunately for them the configuration of the country was such that they could get wells and springs enough to supply their need. I do know that Montreal has, to a very large extent, blamed the Ottawa river for the typhoid epidemics that they have had from time to time, but I may tell the hon. gentleman although water may purify itself from organic matter, and he cannot notice anything wrong with it from his sense of smell or his taste, the germs of the disease are going on and will live in that water for 60 days as has been proved under direct experiment. Typhoid bacilli have lived in

sterilized water for 60 days, and if they meet any convenient pabulum they instantly wax fat and grow.

Hon. Mr. CASGRAIN—What would be a good thing to kill them at once?

Hon. Mr. DE VEBER—Hiram Walker. If an Act like this were passed, every town and village would have to dispose of their sewage and they would take means to do it. In Lethbridge, we have had the money voted for six years, and it is only put off by the provincial authorities who want to experiment in order to find the best means to do it. We got a little bit angry, because the people below Lethbridge in several of the villages had a number of cases of typhoid and were blaming our sewage which ran into the water, and we determined to take action. We got Mr. Aird Murry, an eminent engineer in Toronto, to come up and look over the land, and give us what he considered the best and most feasible scheme for our district, because there is no one special system that will do for every part of the country. You must have it agree with existing conditions. For instance, take a place like Regina, you could not have an open sprinkling system there in winter. You might were it covered in and heated. He has given us a system of a sedimentation basin and then the percolation system, which does not, however, remove the bacilli. Then it comes out into another tank and is treated by the hypocloride system, and then emptied into the river where it will be harmless. I hope the Bill will meet with approbation and become law, and I assure the House, as Chairman of the Committee of Public Health, it will receive very careful supervision at our hands.

Hon. Mr. WILSON—What method would the hon. gentleman adopt to prevent decomposed animal and vegetable matter on farms from getting into the streams and polluting the water?

Hon. Mr. DE VEBER—Any man who places a dead carcase on the ice, or in any navigable water, should and would be severely punished under the Act. He must bury any animal that dies.

Hon. Mr. WILSON—There are animals dying and left on the ground all over the country, to decay, and there are rains, and the rains wash them down the hills into the valleys and creeks. How is this Bill going to prevent it?

Hon. Mr. DE VEBER—As much as possible by the enforcement of the law.

Hon. Mr. WILSON—But the hon. gentleman understands perfectly well that in rural settlements and in unsettled places a distance away, there is no law to compel a man to bury a dead animal on the mountain top. You cannot carry out any such law.

Hon. Mr. DE VEBER—Our country has the name of being the wild and woolly west, and as having little law out there, but if I have six or eight head of cattle and one dies on the prairie, the first thing I know a mounted policeman comes to me and says: 'There is a dead beast of yours out on the prairie, go and bury it, or come up and pay a fine.'

Hon. Mr. WILSON—There are animals that do not belong to a farmer, wild in the woods, and earth animals as well as other animals running at large. They die and become decomposed, and the rain coming on washes them down into the smaller streams and then into the larger. How are you going to prevent that unless you take a method whereby you purify that water and destroy the bacilli? You do not accomplish the object you have in view.

Hon. Mr. DE VEBER—The typhoid bacilli is from a man.

Hon. Mr. BELCOURT—I should like to make it perfectly clear, in case there is some doubt in the minds of some hon. gentlemen as to when this Act shall come in force. I have taken great care, in order to prevent hardship or inconvenience, that the sections of the Bill which authorize the making and promulgation of regulations in order to carry out the Act shall alone come into operation immediately. I ask hon. gentlemen to look at section 4, which provides that the Governor in Council may make such regulations, general or special, that is of a general character applicable to

the whole community, or special as applicable to any particular locality:

As are requisite or expedient to carry out the purposes and intent of this Act; and the said regulations shall have force and effect as of and from the date of the publication thereof in 'The Canada Gazette.'

2. The Minister may make such orders and grant such permits as are provided for in such regulations.

Section 10 provides,

10. Sections 2 and 3 of this Act shall not come into force until such date as is appointed therefor by the Governor in Council by proclamation published in 'The Canada Gazette.'

All we are doing now is to make the dumping of sewage into our streams an offence punishable as provided for in the Act. It is not at present an offence, but is to be an offence only when this Act comes into force. This law will only make it an offence when the Governor General, having been satisfied that proper regulations have been made, thinks the time is opportune for enforcing that provision. So that the cities of Ottawa and Montreal, for instance, may go on as at present, doing what they are doing now, for five or ten years, until the government, at the instigation of the Minister of Agriculture, publishes in the 'Canada Gazette,' the regulations that the Act authorizes to be made. There is no inconvenience to anybody. In the meantime, there is no hardship to anybody. No expenditure of money called upon to be made, but the responsibility is thrown on the government to provide regulations to put an end to this evil. That is all there is in the Bill. It may not be an offence for five or ten years, and it will only be an offence when the cabinet deems it expedient to make it an offence, when they think the time ripe, when they think the country has been given time to prepare filtration plants or other means in order to do away with the dumping of raw sewage, and then, and only then shall the Act come into force, so that my hon. friend from Halifax who spoke of the great danger and inconvenience that would result from an immediate enforcement of the law, was not speaking on the Bill as it is. He was mistaken. There is no immediate enforcement of the Act provided for at all.

Hon. Mr. BELCOURT.

Hon. Mr. ELLIS—Take the case of the lumbermen on the St. John river, who, of course, carry on the operations of nature, does it apply to them?

Hon. Mr. BELCOURT—All these matters can be taken into account and dealt with by the Minister of Agriculture, and medical experts whom he would consult. Hon. gentlemen will see that if I had attempted to deal with the cases that my hon. friend has just mentioned, and dozens of other cases, I would have made a Bill that would not have passed this House. We would have divided on all sorts of minor issues. I think I have taken safe ground in affirming the principle that the present method of disposing of sewage must be stopped. Whether it can be stopped in a year, or two years, I cannot say, but under this Bill the responsibility of enforcing it will rest upon the government. After the Committee on Public Health has reported, after the Minister of Agriculture has consulted experts, regulations general and special will be made. Then, and only then, will the responsibility be on the government to say that action will be taken. In the meantime there is no defence for dumping sewage into the rivers as we are doing to-day. Even after the law is put in force, clause 9 would enable the Governor in Council to suspend the Act in whole or in part, so that hon. gentlemen will see there is nothing in this Bill of a harsh or arbitrary character. On the contrary, it is making provision for the future only.

Hon. Mr. POWER—It will be a long time, I assume, before Ottawa will be free from the danger of typhoid through the operation of this Act.

Hon. Mr. BELCOURT—My hon. friend will surely agree with me it is better late than never. If we are going to have immunity some time, we must begin some time.

Hon. Mr. POWER—It seems to me there are a good many of the authorities in Ottawa who are very anxious for some excuse to avoid taking decided action at the present time, and the effect of the passing of this Bill would be rather to encourage them.

Hon. Mr. BELCOURT—Surely my hon. friend is not serious. He must admit that it will impose an obligation on the people of Ottawa to deal with this matter, and if they do not deal with it the government will have power to compel them to take action.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (No. 111) An Act to incorporate the Saskatoon and Hudson Bay Railway Company.—Hon. Mr. Thompson.

HUDSON BAY MORTGAGE CORPORATION BILL.

CONSIDERATION OF AMENDMENTS POSTPONED.

The orders of the day being called:

Consideration of the amendments made by the Standing Committee on Banking and Commerce to (Bill No. 56), "An Act to incorporate the Hudson Bay Mortgage Corporation."—Hon. Mr. Thompson.

Hon. Mr. THOMPSON moved that the order of the day be discharged and that it be placed on the orders for Tuesday next.

Hon. Mr. BEIQUE—These two amendments were inserted in my motion, but at the suggestion of the Law Clerk and with the concurrence of the Superintendent of Insurance. But on looking over the matter the Superintendent of Insurance finds, and has written a letter to say, that the change is not necessary. One amendment is covered already and the other is foreign to the Bill.

The motion was agreed to.

The Senate adjourned until to-morrow at 2.30 p.m.

THE SENATE.

FRIDAY, March 17, 1911.

The SPEAKER took the Chair at 2.30 p.m.

Prayers and Routine Proceedings.

INTERNATIONAL TRACTION RAILWAYS COMPANY.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (No. 74) An Act respecting the International Railway Company and International Traction Railways, with amendments.

He said: The first amendment to this Bill is for the purpose of recognizing a foreign corporation and giving powers to the company mentioned in the Bill, to carry on the business of an international railway in Canada. It gives this traction railway power to carry on its business on Canadian territory. The first amendment to clause 3 compels the company to deposit with the Secretary of State, its United States charter and all amendments thereto, in order that people having recourse against the company may know how to exercise it. The second amendment is for the purpose of submitting the company to the Railway Act, except power to expropriate. I move that the amendments be taken into consideration on Wednesday next.

The motion was agreed to.

THE CENSUS OF 1911.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is there, in the series of questions in the hands of the Census Officers, and which is to be used by them in the fulfilment of their duties, a question asking the person addressed what language is commonly used?
2. Does not such a question tend to cause errors, and to induce an answer which will falsify the information asked for, as, for instance, if in a village of one thousand population, fifty Germans answer that the English language is the one commonly used?
3. Would it not be more loyal to strike out, in column 36 to table No. 1, the expression 'language commonly spoken,' and substitute 'mother language,' therefor, so as to obtain without even the shade of a fraud the desired information on the education and language of each person five years old and over, as shown by one of the sub-titles of the said table No. 1 of the Census?
4. Is it the intention of the government to prevent all possible errors in that direction, by changing the questions in the manner indicated?

Rt. Hon. Sir RICHARD CARTWRIGHT—The replies are as follows:

1. Yes.
2. No.
3. No.
4. No.

THE ROSS RIFLE.

INQUIRY.

Hon. Mr. LANDRY inquired :

1. Has the government entered into any agreement with Sir Charles Ross or his representatives with reference to a new improved sight to be substituted to the sight used up to date in connection with the Ross rifles?
2. What is the nature of the agreement?
3. When was it entered into?
4. How many rifles will be equipped with the new sight?
5. Who is the inventor thereof?
6. Have any other sights been offered and by whom?

Rt. Hon. Sir RICHARD CARTWRIGHT —In reply to questions 1, 2 and 3, no agreement has been entered into. In reply to question 4, the Swift sight has been recommended by the Small Arms Committee, and approved, for future orders. All rifles ordered will be equipped with the new sight. The patent of this sight is the property of the department.

In reply to question 5, Captain A. E. Swift, Inspector of Small Arms.

In reply to question 6, yes, as per list attached.

MEMORANDUM.

The following sights have been submitted to the Small Arms Committee for consideration:—

Name of Sight.	Submitted by.
The Fenby-Hale Orthoptic Back-sight..	The Manufacturers.
The Fraser Aperture Sight	The Manufacturers.
The London Small Arms Service Aperture Sight	London Small Arms Co., England.
Birmingham Small Arms Rear Aperture Sight	Birmingham Small Arms Co., Birmingham, England.
The Clifford Sight	Sergt. J. Clifford, 10th "Royal Grenadiers, Toronto.
The Peddie Rifle Sight	Peddie Rifle Sight Co., England.
The Peddie Callichiopulo Sight	Messrs Vickers, Sons & Maxim, England.
The B.S.A. Martin Rifle Sight	Mr. T. F. Elmitt, Ottawa.
The B.S.A. Parker Rifle Sight	Messrs. A. G. Parker & Co., Birmingham, England.
The Sutherland Rifle Sight, 5 patterns	The Sutherland Rifle Sight Co., New Glasgow, N.S.
The Reardon Rifle Sights, (Nos. 2, 3, 4, 5.) ..	Reardon Rifle Sight Co., Ottawa.
The Reardon Buffington Rifle Sight	Reardon Rifle Sight Co., Ottawa.
The Corbin Orthoptic Rifle Sight	Mayor Corbin, Halifax, N.S.
The Maguire Rifle Sight	Mr. W. J. Maguire, Quebec
The Swift Sight	Captain A. E. Swift, Quebec.
Martin Rifle Sight	Sergt. A. G. Martin, Calgary, Alta.

THIRD READINGS.

Bill (X) An Act respecting the Manitoba Radial Railway Company.—Hon. Mr Young.

Bill (Y) An Act respecting the Hamilton, Waterloo and Guelph Railway Company.—Hon. Mr. Watson.

Bill (No. 59) An Act respecting the Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill (No. 99) An Act to incorporate the Niagara, Welland and Lake Erie Railway Company.—Hon. Mr. Gibson.

Bill (No. 90) An Act respecting the Indian River Railway Company.—Hon. Mr. Lavergne.

Bill (Z) An Act to incorporate the Canadian Surety Company.—Hon. Sir Richard Scott.

SECOND READING.

Bill (No. 110) An Act respecting the People's Railway Company.—Hon. Mr. Ratz.

INSPECTION AND SALE ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (Q-1) An Act to amend the Inspection and Sale Act, as regards the weights of a bushel and a bag of certain articles.

(In the Committee.)

On clause 1,

1. Section 337 of the Inspection and Sale Act, chapter 85 of the Revised Statutes, 1906, is hereby repealed and the following section is substituted therefor:

337. A bushel of any article mentioned in this subsection shall mean, unless a bushel by measure is specially agreed upon, that number of dominion standard pounds of such article which is shown in this subsection opposite the name of such article.

Hon. Sir MACKENZIE BOWELL—Could my hon. friend explain what the changes are and why this Bill is introduced?

Rt. Hon. Sir RICHARD CARTWRIGHT—The object of this Bill is to fix a standard weight. In a great many places they have been selling by bags of various sorts, some bags weigh 60, some 70 and some 80 lbs. They varied a great deal and the vegetable growers, who are largely concerned, have been sending deputations to the government asking that a fixed standard be provided. I think in most of these cases where standards have ben fixed the change is very slight, or none at all, but the main object is that every man who buys by bag should know that he gets a certain weight, unless he has chosen expressly to agree to buy by measure, which they may do under a special agreement.

Hon. Sir MACKENZIE BOWELL—The practice has been that a bushel is defined to be 60 pounds, in the case of potatoes. You can scarcely go into the markets now and buy by the bushel. If you ask the price of a bag of potatoes they will tell you so much, and if you ask how much is in it they will say a bagful, and they decline to sell by the bushel. I do not see that this defines what the weight of a bag of potatoes will be.

Rt. Hon. Sir RICHARD CARTWRIGHT—In the next clause it says, ' Unless a bushel by measurement is specially agreed upon, that number of Dominion standard pounds of such an article which is shown in the subsection opposite the name of such an article,' and it goes on to define the size of a barrel, which is now henceforth to be 165 pounds, unless otherwise agreed upon.

Hon. Sir MACKENZIE BOWELL—Have the market gardeners and others who take their produce to town asked for it?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, they have asked for it.

Hon. Sir MACKENZIE BOWELL—Then a bag of potatoes must weigh 80 pounds.

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes, unless otherwise agreed upon.

Hon. Sir MACKENZIE BOWELL—I do not object to that.

Rt. Hon. Sir RICHARD CARTWRIGHT—The changes are very few and not material. Beans are 60 pounds and remain 60. Beets have been changed from 60 to 50. Bituminous coal and blue grass are the same. Carrots are cut down from 60 to 50. Castor beans, clover seed, hemp seed, and lime are the same. Malt 36 pounds, onions 50. Parsnips reduced from 50 to 45. Potatoes, timothy seed and turnips remain the same.

The clause was adopted.

On clause 2,

2. The Act passed during the present session respecting the sale of potatoes by the barrel and intituled an Act to amend the Inspection and Sale Act, is hereby repealed.

Rt. Hon. Sir RICHARD CARTWRIGHT—Across the border they have adopted the weight of 65 pounds, and it is found a convenience when the United States potatoes and Canadian potatoes are being sold on the same market that the weight should be the same.

Hon. Mr. POWER—This Act will not be in force until it has been assented to by His Excellency. I do not know of any instance where we have undertaken to repeal an Act which has never been assented to. This Act has never been assented to by the Governor. Consequently it is not an Act. We have, in various cases where the deputy has come down and assented to a Bill, repealed that Bill at a subsequent date in the session, but I do not know of any instance of a Bill which has not been assented to that has been repealed.

Rt. Hon. Sir RICHARD CARTWRIGHT—This will not be repealed till the other is enacted.

Hon. Mr. POWER—You present a Bill which you do not wish to pass to the Gov-

ernor for his assent, and I presume at the same time you present a Bill which undertakes to repeal it.

Rt. Hon. Sir RICHARD CARTWRIGHT —The law clerks of both Houses recommended this way of dealing with it.

Hon. Mr. POWER—I hesitate to differ with the law clerks, but the right hon. gentleman might allow the Bill to stand and permit the law clerks to reconsider it.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will have it considered in the House of Commons.

The clause was adopted.

Hon. Mr. CAMPBELL, from the committee, reported the Bill without amendment.

BILLS INTRODUCED.

Bill (W-1) An Act to incorporate the New Ontario and Quebec Railway Company.—Hon. Mr. Jaffray.

Bill (No. 113) An Act to incorporate the British Columbia and Central Canada Railway Company.—Hon. Mr. Riley.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, March 21, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

ASSISTANT IMMIGRATION AGENT AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is there actually, in the Immigration office in Quebec, any employee answering to the name of Sosthene Morisset?
2. What position does he hold?
3. Has he any right to the title of assistant immigration agent?
4. Is there in Quebec any employee having a right to this title?
5. Who is he?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.
2. He is a clerk.
3. No.
4. No.
5. See answer to 4.

GOVERNMENT PROPERTIES IN QUEBEC CITY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What properties does the government at present own within the limits of the city of Quebec?
2. What is the area of each of them?
3. What are, among those properties, those rented by the government to individuals or to corporations?
4. At what rental, and for how many years, each of them?
5. Has the rent been regularly paid?
6. What are the properties on which arrears in rent are due?
7. For what amounts?

Rt. Hon. Sir RICHARD CARTWRIGHT —This inquiry should be changed to a return. The information would be obtained from several departments.

Hon. Mr. LANDRY—I move that an Order do issue for a statement giving each of the particulars in this notice of motion.

The motion agreed to.

THE CARRIERE-LAINE PROPERTY AT LEVIS.

INQUIRY.

Hon. Mr. LANDRY inquired:

The Senate having, on the 22nd April last, given an order to lay upon the table of this House a copy of all the correspondence exchanged between the government, the Departments of Justice and Public Works, and all other persons, on the subject of the acquisition, &c., of the Carriere-Lainé property at Lévis, may it be expected that the Departments of Justice and of Public Works, whom this order specially concerns, will make it their duty to order their agents at Quebec, Messrs. Vien and Décarrie, to furnish without further delay a complete copy of their correspondence on this subject with their respective departments or with other persons?

Rt. Hon. Sir RICHARD CARTWRIGHT —The Department of Public Works state that all the information they are able to

furnish has been supplied. I have received the following letter from the Department of Justice:

Ottawa, 20th March, 1911

Sir,—Referring to your letter of 20th instant, Mr. Vien is not an agent of this department under our control in anywise. He acted for us, it is true, in connection with the acquisition of the Carrière-Lainé property, but the transaction is concluded, and Mr. Vien has not, so far as I am aware, any of the papers which belong to the government. If, therefore, Mr. Landry desire Mr. Vien to produce his papers he will have to obtain them by such means or process as is available. The Minister, I may say, does not see that the department is in a position to assist.

I have the honour to be, Sir,
Your obedient servant,
E. L. NEWCOMBE.
Deputy Minister of Justice.

C. H. Payne, Esq.,
Assistant Private Secretary,
Minister of Trade & Commerce,
Ottawa.

Hon. Mr. LANDRY—I protest against such an impudent answer. Here is a man who is employed by the Department of Justice. He has a claim against the department of nearly $3,000——

Hon. Mr. POWER—The hon. gentleman has not asked the leave of the House to comment on the answer.

Hon. Mr. LANDRY—I may or may not ask leave of the House.

Hon. Mr. POWER—The hon. gentleman has no right to remark on the answer.

Hon. Mr. LANDRY—I think I have.

Hon. Mr. POWER—It is a most ordinary rule; the hon. gentleman will understand the rule of the House.

Hon. Mr. LANDRY—It is an ordinary rule in the Senate that inquiries may be discussed.

The SPEAKER—Not if an answer has been given.

Hon. Mr. LANDRY—I beg your pardon.

Hon. Mr. POWER—I rise to a question of order.

Hon. Mr. LANDRY—Well then, all right; I want a decision and I will bring here to-morrow fifteen years of experience of jurisprudence in the case. When an answer is given I may say a word upon it.

Hon. Mr. CLORAN—Who is going to decide the question, the Speaker or you?

Hon. Mr. LANDRY—I suppose we might have liberty to discuss a point of order.

Hon. Mr. CLORAN—There has been no point of order raised.

Hon. Mr. LANDRY—Yes, there has been a point of order raised.

Hon. Mr. CLORAN—I would like to know what it is. I think the hon gentleman should state the point of order.

Hon. Mr. POWER—I am prepared to state it. It is a general parliamentary rule that when a question is asked of the government and a member of the government has replied, then it is not open to any other member of the House to say anything. If the hon. gentleman wishes to discuss the question, instead of saying I shall ask so and so, he should say I will call attention to something. The hon. gentleman is familiar with the rule—more so than I am, and he knows very well that if you ask to discuss a question, you have to say, 'I shall call attention.'

Hon. Mr. LANDRY—That is true when you want the question discussed by the whole House, but I have a right, as a member putting the question, to say a word after the answer is given. The hon. gentleman knows the difference as well as I do, but I want him to put the rule that prevents me from doing as I have done. Where is the rule I am infringing? If the hon. gentleman refers to the practice, I am prepared to show him that since I have been a member of this House we have always allowed an hon. member making an inquiry to discuss the answer given by the government. The hon. gentleman shakes his head right and left but that is not an answer.

Hon. Mr. CLORAN—I do not wish to limit the right of any hon. member to speak, but the hon. gentleman from Halifax has raised a question of order, and the hon. member undertakes to answer it. I should like to have the ruling of the Chair on the question of order raised by the hon. gentleman from Halifax.

Hon. Mr. LANDRY—Bourinot at page 415 says:

It is not an unusual practice in the House of Lords—and the same has sometimes been followed in the Senate—to allow a member, in giving notice, to make remarks of an explanatory character as to the nature of the motion, as to the reason for proposing it, as to the course the member intends to pursue (d), but no remarks of a controversial or argumentative character should be made, nor will any debate be permitted at such a stage, when the House has had no opportunity of considering the subject-matter the motion (e). No notice need be given in the Senate of public bills.

On page 430 and 431 Bourinot further says:

It is an established rule of parliamentary practice, and one that should always be strictly observed, that no member is to address the House, unless it be to speak to a motion already under debate, or to propose one himself for discussion. A practice, however, has long prevailed in parliament, and is now established in the Senate and the House of Commons, of putting questions to the ministers of the Crown, concerning any measure pending in parliament, or other public matter, and of receiving the answers and explanations of the persons so interrogated. This deviation from the general rule respecting motions has arisen from the necessity that experience has shown of obtaining for the House material information, which may throw light upon the business before it, and serve to guide the judgment in its future proceedings. The procedure in the Senate on such occasions is quite different from that of the Commons. Much more latitude is allowed in the upper House, and a debate often takes place on a mere question or inquiry, of which however notice must always be given when it is of a special character.

The SPEAKER—Does that not refer to observations made on asking a question, but not after the reply has been given? You are taking exception that the answer is not a sufficient answer.

Hon. Mr. LANDRY—Bourinot says:

Much more latitude is allowed in the upper House, and a debate often takes place on a mere question or inquiry, of which, however, notice must always be given when it is of a special character.

The SPEAKER—Rule 39 reads as follows:

No debate is in order on a mere inquiry, but explanatory remarks may be made by the senator making inquiry and by the Minister or other senator answering the same. Observations upon any such answers are not allowed.

Rule 40 says:

When it is intended to make a statement or raise a discussion on asking a question, the senator having such intention as part of the notice under rule 21 gives notice that he will call attention to the matter inquired into.

Hon. Mr. LANDRY—I call attention that I will look into that question and bring it up again.

RIGHT OF WAY OF RAILWAYS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What amount has been paid, up to date, for the right of way on each of the railways (*a*), (*b*), (*c*), described in section 4 of Chap. 177 of 3 Edward VII?
2. How much remains to be paid to complete the purchase of the right of way on each of the above-mentioned railways?
3. Besides the sums paid and to be paid for the right of way, what is the amount of expropriation expenses already paid and the probable expropriation costs, on each of the above-mentioned railways?
4. Besides the above mentioned railways are there any other lines starting from or near one of the ends of the bridge of line *A*, on which work has been done?
5. What are these lines?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answer to the hon. gentleman's questions are as follows:

1. The railway described in section 4 of chapter 177 of 3, Edward VII, designated as (a) was taken over by the government as forming part of the undertaking and assets of the Quebec Bridge and Railway Company and, under order in council dated 23rd June, 1910, was transferred to the commissioners of the Transcontinental to constitute part of the eastern division of the National Transcontinental railway. The amount expended for right of way, including purchase of Champlain Market in the city of Quebec, is $121,754.00. (b) This railway has not been constructed but a portion of the Transcontinental railway has been built over practically a part of the line and the amount expended for right of way for the Transcontinental is $2,298.00. (c) Nothing. Line not being built.
2. Most of land on line (a) is still unsettled for, and amount necessary to settle cannot now be stated.
3. No expropriation expenses have been incurred to date and no estimate of the probable expropriation costs can be given.
4 and 5. No.

A QUESTION OF PRIVILEGE.

INQUIRY.

Hon. Mr. DOMVILLE moved:

That the following paragraph which appears on page 378 of the Senate debates be expunged:

Hon. Mr. CLORAN—If I had the experience of my hon. friend in such matters I could answer him along that line. I am simply answering for Canadian law, and that only

recognizes one wife in the household, no matter how many you may have on the outside.

He said: This motion should have been brought up at the last meeting of the House, but out of deference to my hon. friend, Senator Cloran, who was not present, I asked that it be allowed to stand. It seems to me that this was an extraordinary statement to make. We were discussing the question of the Chinese coming into Canada. My Oriental experience not being very great, I was always under the impression that the Chinamen had several wives. The rich had as many as they wanted, and the poor only got a few, somewhat similar to our own experience in this country, and I wanted to know from the government what line of demarcation they were going to make when these Chinamen came in—if a Chinaman possessed several wives on the other side, which was to be the favoured lady, and which was not, when he came to this country. I do not see, for my part, how it is going to work. I am a British subject and do not believe in restricting the various races of the world coming into this country. It is free to all. They must behave themselves when they come here, and if they do not we have the laws of the country to compel them to. I asked the hon. House which wife was to have the privilege of coming to Canada and which one had to stay at home, and I do not think it called for the irony of my hon. friend. The report reads as follows:

Hon. Mr. CLORAN—If I had the experience of my hon. friend in such matters I could answer him along that line.

What experience had I had? How does the hon. gentleman attempt to say I had any experience? In the eastern provinces we have very few Chinamen. That is what I want the hon. gentleman to consider. I do not think the hon. gentleman meant anything by it. He said:

I am simply answering for Canadian law, and that only recognizes one wife in the household, no matter how many you may have on the outside.

I do not think he should have said 'No matter how many you may have on the outside,' and I am now affording my hon. friend an opportunity to clear that up. What will future generations say when they look this thing up? What will the country say to-day? It is a direct charge by him against me, whether he intended it or not. I cannot believe that my hon. friend had anything against me. I think when he said it he had something else running in his mind, and not your hon. servant, who has not been mixed up in the question of how many wives the Chinese have or otherwise, and without having anything unfriendly to say I would like to afford him the opportunity to explain what he really meant and then I will move that it be expunged from the Debates.

The SPEAKER—There is nothing before the House at the present time.

Hon. Mr. DOMVILLE. Then I will move that the remark of the hon. gentleman be expunged from the Debates, seconded by the Hon. Mr. MacDonald.

Hon. Mr. CLORAN—I will second it.

Hon. Mr. DOMVILLE—I move that the following paragraph which appears at 378 of the Senate Debates be expunged:

Hon. Mr. CLORAN—If I had the experience of my hon. friend in such matters I could answer him along that line. I am simply answering for Canadian law, and that only recognizes one wife in the household, no matter how many you may have on the outside.

Hon. Mr. CLORAN—Before the motion is put to the House, hon. gentlemen, allow me to say that I take pleasure in answering it. First, in order to do my hon. friend justice, and secondly to call the Debates' reporter to time for misreporting. There is no member in this honourable House who would doubt for a moment the high esteem in which I hold my hon. friend, and the close friendship which knits us together. The value of the hon. member from Rothesay (Hon. Mr. Domville) as a member of this House, his stability as a citizen and his devotedness as a friend, would never allow me to make remarks that would reflect upon his honour or upon his integrity. He is one of the members of this House whom I highly esteem; because he has been a man of service to Canada

in a very large measure, and his father and his father's father before him are men who have given very large service to the empire and I look upon him as a worthy representative of the Canadian people and as a citizen. I know of the stuff of which he is built. I know of his works in the province of New Brunswick. I know of his ability in administrating municipal affairs in St. John. I know of his devotion to the Liberal party in forcing the ex-Finance Minister out of the province; so much for his capacity as a representative. As a citizen and as a friend I know no man in this honourable House who has more pure intentions of friendship than the hon. member. Once knitted with a friend he never betrays that friend, and I think he will pay me the honour of acknowledging that in a very serious crisis of his life I did not betray him either on the floor of this honourable House or anywhere else. His heart and my heart beat in unison. I have never questioned his capacity as a religious citizen, I never would because I know the results of his work as a Christian. It is not necessary to display it or announce it from the church tops or the roofs of the houses. I know the family in which he was brought up and their great integrity and religious zeal. When I gave the answer that is reported, it was after a number of pointed, pertinent, witty questions that the hon. gentleman put to me during the few remarks that I made at the time the Chinese Immigration Act was being discussed. His last question gave me a little trouble to answer. I knew he was serious but at the same time humorous and I must confess that I made an attempt at humour but I see, when it is put in black and white, that it was a very clumsy attempt. I did not intend to intimate that the hon. gentleman had experience in the way that the 'Debates' makes it read. What I wished to convey was that the hon. senator, having travelled over this world, in his own interests and in the interests of the empire, as a servant of the empire, knew the customs and ways of the different nations of the earth. I know of that and that is what I meant when I said that he had more experience than I had. People are virtuous according to their own conception, but the conception of this statement was wrong; they did not know the value of the services rendered by the hon. senator. Fifty years ago, in the service of the empire, the hon. gentleman travelled round the world on our battleships and other ways and I presumed that, having visited all foreign nations, oriental as well as western, he was in a position to know the customs and ways of these people, and that is why I said 'you have more experience in that matter.' That is the explanation. I had no idea in my mind to convey the impression that he had bad, vulgar, low, immoral experience; that was altogether foreign to my mind. So much for the hon. gentleman from Rothesay. Now the hon. gentleman directs attention to the fact that the 'Debates' represent me as saying, 'you can have one wife in Canada under Canadian law, no matter how many you have outside.' Well, that is not the exact expression.

Hon. Mr. DOMVILLE—I must interrupt my hon. friend there, I never meant to say that you could have wives outside, I said, following up my hon. friend's line of argument, that the law allowed one wife.

Hon. Mr. CLORAN—No matter how many you have on the outside; I did not use the word 'you,' I used the word 'one.' The Canadian law recognizes the existence of only one wife.

Hon. Mr. DOMVILLE—You say no matter how many you may have on the outside, not 'one may have on the outside.'

Hon. Mr. CLORAN—That is what I am calling hon. gentlemen's attention to. That report is not correct. I did not use the word 'you.' I said 'No matter how many one may have outside.' I did not make it personal, that is why I say that I have two grievances, one against myself for having given the clumsy answer I did, and one against the 'Debates' reporters for having misquoted one word which changes the sense of the whole sentence. Under the circumstances I have no hesitation in asking to have the sentence that is objected to by the hon. gentleman withdrawn. It does not show my real feeling in the mat-

ter in the first place, and I am sure it does not show the feeling of this honourable House or the country at large.

Hon. Mr. ELLIS—The motion is to strike it out of the unrevised 'Debates.' Should it appear in the revised version? I quite agree that the whole thing should be left out of this debate as well as the other; there is no other way to fix it.

Hon. Mr. LANDRY—I am speaking of the present debate. If these words are expunged then we will find in a subsequent number a discussion on something that is not in the 'Debates.'

The SPEAKER—It is in the hands of the House as to whether they will expunge it or not.

Hon. Mr. OWENS—I move that the whole discussion on the subject be expunged.

The SPEAKER—That would have to be a substantitive motion.

Hon. Sir MACKENZIE BOWELL—If the discussion to-day is to appear in the revised edition of the 'Debates' it will not show what gave rise to it without reference back to the unrevised edition. It would be much better if it were all struck out.

Hon. Mr. OWENS—I give notice that I will move to-morrow to have this discussion expunged from the 'Debates.'

The original motion was agreed to.

DELAYED RETURNS.

Hon. Mr. LOUGHEED—May I ask my right hon. friend when it is the intention of the government to bring down the papers dealing with the appointment of Colonel Dickie to the command of the 76th regiment?

Rt. Hon. Sir RICHARD CARTWRIGHT—I understood from the Minister of Militia that he had that prepared and would submit it in a day or so.

THIRD READINGS.

Bill (No. 100) An Act respecting the Orford Mountain Railway Company.—Hon. Mr. Lavergne.

Bill (No. 84) An Act respecting the Southern Central Pacific Railway Company.—Hon. Mr. Watson.

Bill (No. 68) An Act respecting the Campbellford, Lake Ontario and Western Railway Company.—Hon. Mr. Derbyshire.

Bill (No. 83) An Act to incorporate the Simcoe, Grey and Bruce Railway Company.—Hon. Mr. Campbell.

Bill (I-1) An Act respecting the Baptist Convention of Ontario and Quebec.—Hon. Mr. Derbyshire.

INSPECTION AND SALE ACT AMENDMENT BILL.

THIRD READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the third reading of Bill (Q-1) An Act to amend the Inspection and Sale Act as regards the weights of a bushel and a bag of certain articles.

Hon. Mr. POWER—I called attention to the fact that the second clause of the Bill was unnecessary and I understood the right hon. member in charge of the Bill to intimate that he would consult the Justice Department with respect to it. That clause is to the effect that an Act passed during the present session entitled an Act to amend the Inspection and Sale Act is hereby repealed. No such Act has been passed. It does not become an Act until it is assented to by His Excellency. This is a very round-about way to deal with it. The natural course is that it should not be assented to by His Excellency.

Hon. Mr. LOUGHEED—Can my hon. friend state any instance in which a Bill, after it has received its final reading in both Houses, has been withheld from the Governor's assent? I had occasion to make some inquiry into that some years ago and I could not satisfy myself that there was any precedent. We have taken this course on other occasions. That is to say, where it was necessary to overtake a Bill which had received its final reading, we have made provision for repealing that Bill, presupposing that it had received the assent of the Crown.

Hon. Mr. POWER—I made some inquiry and was informed that this had happened

before, that a Bill was not assented to by the Governor, but I think the hon. leader of the opposition must be labouring under a misapprehension when he speaks of having known various occasions where a Bill in the position that this Bill occupies, was repealed by a Bill passing through this House at a later stage of the session. I have been here for a good many years and paid attention to the legislation going through, and this is the first case I remember where this course has been adopted. It is not an unusual thing where a Bill has been passed in the early part of the session, and has been assented to either by the Governor General or his deputy, that it is found desirable afterwards to repeal it, and a repealing clause is inserted in a subsequent measure, but the point here is that we speak of an Act passed during the present session. No such Act has been passed; it is not an Act until it has been assented to by the Governor General, and therefore this procedure is incorrect.

Hon. Mr. LOUGHEED—Has my hon. friend considered this phase of it? What authority has the Governor to withhold a Bill that has been passed by parliament?

Hon. Mr. POWER—It is a very simple thing to represent to His Excellency that circumstances have arisen that make it desirable that this Bill should not be assented to.

Hon. Sir MACKENZIE BOWELL—I think it is laid down very clearly by May that once both branches of parliament have passed an Act you cannot interfere with it. It must go to the Crown for sanction, but I have a distinct recollection of cases where an Act has been passed by both Houses and afterwards repealed in the same session that enacted it. I am not prepared to say whether the Governor had in any such case sanctioned the measure. It is very easy to make this correct provided the original Act was passed and sanctioned by the Governor and that the amended Act be sanctioned afterwards. That a repeaing Act may be passed by parliament is without a doubt. In this case the first Bill was an amendment to the Weights and Measures Act. It was introduced in the House of Commons and passed there and sent to the Senate. It was passed through its three readings here and it is proposed now to repeal it in its entirety. A new Bill is introduced repealing a Bill which has passed through both Houses and which stands to be assented to.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am inclined to think, although it is a knotty question, on which I have not bestowed a great deal of study, that the proper thing to do when an Act has passed both branches is to present it to His Excellency who may or may not assent to it, but that it should be presented to him appears a proper thing to do. I think we would be safer to say that he would assent to No. 1, and then afterwards assent to No. 2. I have known cases in which it has been supposed that an Act was going to be repealed and this thing has been lost sight of, and it has come up at a later stage and produced considerable inconvenience. I do not think any harm can come from following the present practice and letting this go forward. It will be assented to before this Bill becomes law, and then this will repeal the measure. It seems to me this is the safer course, and if there is no constitutional point involved in it, I think the point is that the Bills pased by both Houses should be presented to His Excellency.

Hon. Mr. LOUGHEED—Does not the hon. gentleman from Halifax think it would be a dangerous precedent to establish, if parliament had passed a Bill through its final readings, that the government, entirely irrespective of parliament, should have the authority by precedent to say: 'We will not permit that to go through'? I quite appreciate the fact that no injury would arise from following up the suggestion made by the hon. gentleman from Halifax to this Bill, but once you lay down a precedent of that kind it seems to me it is very susceptible to further regression and might result in the government exercising high-handed authority in suppressing a popular measure which had been passed by both Houses. It is very much more in the public interest, and guarantees the

passage of legislation to a much greater extent, that the legislation should be repealed, even though it would seem contradictory, as has been pointed out by my hon. friend.

Hon. Mr. POWER—I assume that every Bill which passes both Houses has to be submitted to His Excellency, but the government may recommend to His Excellency to withhold his assent from a Bill.

Hon. Mr. LOUGHEED—Then what have we to say about it?

Hon. Mr. POWER—With respect to the point made by the hon. leader of the opposition, that a very important measure might be burked in that way, the government are responsible, and take the responsibility in their own hands.

Hon. Mr. ELLIS—Does the hon. leader of the opposition think it is right to declare in an Act that something is enacted which is not enacted at all? It cannot be enacted until it is assented to.

Hon. Mr. LOUGHEED—Whatever legislation we pass only becomes law from the time it has received the assent of the Governor General, and that being the case, it would be perfectly correct to do, as has been done by the government, that is to say, this first Bill will be presented for the royal assent, and the other Bill will come subsequent to it, and it will appear on the statute-book as quite regular, because none of those Bills become law, or become a statute until the assent is given.

Hon. Mr. LANDRY—Provided there is no mistake and the second Bill is not assented to before the first.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think there would be no danger of that.

The motion was agreed to, and the Bill was read the third time and passed.

HUDSON BAY MORTGAGE CORPORATION.

AMENDMENTS REFERRED TO COMMITTEE.

Hon. Mr. THOMPSON moved concurrence in the amendments made by the Standing Committee on Banking and Commerce to Bill (No. 56) An Act to incorporate the Hudson Bay Mortgage Corporation.

He said: It will be remembered that this order was discharged on Friday on account of the hon. gentleman from De Salaberry calling attention to some amendments in the Banking and Commerce Committee in respect of this Act which were found not to be germane to the Bill. A letter was received from Mr. Fitzgerald respecting the subsections which were added. The first amendment was as follows:

Page 4, line 62.—After 'Company' insert the following as sub-sections 2 and 3.

2. The loans or advances by the company to its shareholders upon the security of their stock be deducted from the amount of the paid up capital upon which the company is authorized to borrow.

And that was one of the subsections. Another amendment was adding the following section:

3. The liabilities of any company assumed by the company shall form part of the total liabilities of the company to the public for the purpose of this section.

The hon. gentleman who suggested those amendments called attention to the fact that the first subsection suggested was not germane to the Bill, because in the provisions of the Act there was no power given to their shareholders to make loans. That will require to be expunged. Subsection 2 was found to be a duplicate of subsection 2 of section 20 of the Bill. I move, therefore, that those amendments be expunged. The remaining amendments will be found to be important and should be adopted. They are as follow:

Page 4, line 12.—Leave out from 'who' to 'may' in line 13.

Page 4, line 29.—After 'dividends' leave out the whole of sub-section 'c.'

Page 7, line 2.—After 'purpose' insert the following 'at which meeting shareholders representing at least two thirds of the paid-up capital stock of the company are present in person or represented by proxy.'

Page 7, line 19.—After 'manner' leave out all the words to the second 'and' in line 23.

The committee thought that while we were incorporating this company we should change the corporate powers of some other company they desired to do business with, that if they desired to purchase the rights and good-will of some other company it

would be all right—that we should not add to this Bill for the incorporation of the Hudson Bay Mortgage Company powers for other companies which were stated in this Bill.

Hon. Mr. POWER—It is quite clear to the mind of the hon. Chairman of the committee just what shape he wishes the Bill to pass in, but to the other members it may not be so clear. I understand he proposes to drop some of the amendments made by the committee, and to persist in others. This is a very important matter, that in a Bill for the purpose such as this Bill is intended, to create a large mortgage company, the meaning should be perfectly clear, and there should be no liability to mistake, and inasmuch as this Bill comes from the House of Commons there is plenty of time to deal with it, and I think the reasonable and businesslike course to follow is to refer the Bill back to the Committee on Banking and Commerce for further consideration, and I therefore move in amendment that the hon. gentleman's motion that the Bill and the amendments be referred back to the committee for further consideration.

Hon. Mr. THOMPSON—I have no objection to the course suggested by the hon. gentleman. The hon. member from Portage la Prairie has this Bill in charge, and if it meets with his approval I will not object. The only work for the committee will be the expunging of these clauses that were added.

Hon. Mr. WATSON—There can be no objection at any time to this course, and this is just another evidence of what may be done by even the experts in a committee. These amendments were carefully considered in committee and also by the inspector of insurance.

The motion was agreed to.

IMPERIAL TRACTION COMPANY BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (No. 102) An Act to incorporate the Imperial Traction Company. He said: This is an ordinary railway Bill.

Clause 8 reads:

The company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from Hamilton to Guelph, from Guelph to Berlin, from Berlin to Stratford, from Stratford to St. Mary's, from St. Mary's to London, from London to Arkona, from London to Ingersoll, from Ingersoll to Woodstock to Brantford, and from Brantford to Hamilton, with extensions from a point between Brantford and Hamilton to Niagara Falls, and from a point between St. Mary's and Stratford to Lake Huron, following the shore of the said lake to Sarnia.

This Bill simply asks the usual powers and privileges, and there can be no objection to it.

The motion was agreed to, and the Bill was read the second time.

BRITISH COLUMBIA AND DAWSON RAILWAY COMPANY BILL.

ORDER OF THE DAY POSTPONED.

Hon. Mr. BOSTOCK moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (No. 63) An Act to incorporate the British Columbia and Dawson Railway Company. He said: I ask permission to correct certain clerical errors made by the clerk in writing out the amendment. The original amendment as handed in by the solicitor in charge of the Bill gave the name of the promoter as Wolkenstein instead of Walkenstein.

Hon. Mr. LANDRY—I understand the hon. gentleman from De Salaberry has charge of those amendments.

Hon. Mr. BOSTOCK—Yes.

Hon. Mr. LANDRY—Would it not be convenient to take it up at eight o'clock? I have pledged my friends that we would have a sitting at eight o'clock, and this is an important Bill. I want the Bill postponed until eight o'clock to-night. This was agreed to last Friday.

Hon. Mr. POWER—With respect to this question about meeting this evening, I may say that I am distinctly opposed to meetings in the evening, but I think it is only fair to the hon. gentleman from Stadacona to say that on Friday he came over to this side of the House and spoke of certain

reasons why we should not meet this evening. I was one of those who objected, and I said that I withdrew my objection, and I rather understood the right hon. leader of the House intimated that the course asked for by the hon. gentleman from Stadacona would be pursued. I do not approve of the course, but I think it is only fair to the hon. gentleman to say that that is my remembrance.

Rt. Hon. Sir RICHARD CARTWRIGHT—Now that the hon. gentleman from Halifax and the hon. gentleman from Stadacona have referred to the matter, I do remember his coming over here, and I think that I stated then that as far as I was concerned I was quite willing, if the House desired, that we should meet at eight o'clock for a few minutes. I think, perhaps, under the circumstances, that if my hon. friend the leader of the opposition sees no objection, we may meet for a few minutes.

Hon. Mr. LOUGHEED—I have my eye on several vacant chairs on the opposite side of the House which perhaps may be filled this evening.

Hon. Mr. POWER—The item will go to the foot of the order paper.

Hon. Mr. ELLIS—If there is any objection, this arrangement ought not to have been made at all. We have given Mondays to hon. gentlemen who want to go away, and a number of us come here on Monday and do nothing. Now there is an effort to include Tuesday also, but that cannot be. Then we have to come here Tuesday night and there is nothing to do.

The SPEAKER—There is also this to be said about it, unless an arrangement of the kind is mentioned to the House in some way, a great many hon. gentlemen may be inconvenienced by having made other arrangements; so that you are going to put a large number of people to inconvenience to oblige a few.

Rt. Hon. Sir RICHARD CARTWRIGHT—It must be understood—there was no understanding we would not meet at three. I had hoped it would not much inconvenience my hon. friend if a few hon. gentlemen, enough to form a quorum, would meet here at eight o'clock.

Hon. Mr. LANDRY—I understood from the hon. gentleman from Halifax that he would give in for this time, but that we must not sin any more.

It being six o'clock the Speaker left the Chair.

After Recess.

The Senate adjourned until 3 o'clock tomorrow.

THE SENATE.

WEDNESDAY, March 22, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

RAILWAY ACT AMENDMENT BILL.

MOTION.

Hon. Mr. CASGRAIN moved that Bill (No. 4) intituled An Act to amend the Railway Act, be placed upon the orders of the day for second reading on Thursday, the 23rd instant.

He said: It may be within the recollection of members of this House that a discussion took place on this Bill at an evening session, and since then there seems to be a feeling among the members that, without committing the Senate to the principle of the Bill, it should be considered by a committee so that the railway companies and labour organizations might be heard.

The motion was agreed to.

CARRIERE-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Department of Public Works, through whom it may concern, taken the necessary steps to comply with an order of the Senate issued on the 22nd April last?
2. Has it, consequently endeavoured to obtain from its agent, in Quebec, Mr. Décarie, copy of all correspondence between the latter and any department, corporation or person, on the subject of the Carrière-Lainé property?

3. What steps have been taken by the Department of Public Works to obtain the same from Mr. Décarie?

4. If nothing has been done, is it because the Department of Public Works intends to ignore the orders issued by the Senate?

5. What is the name of the official who takes upon himself to treat with such levity an authority far superior to himself and upon which an absolute right to have its orders complied with is conferred?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is as follows: In presenting a Return to an Order of the House or Senate, it has never been the practice to include files of agents or sub-agents. The Department of Public Works has supplied all the information in its possession.

WITHDRAWAL OF DOMINION BANK NOTES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Does the government intend to withdraw from circulation the Dominion Bank notes, as they become soiled by excessive manipulation and usage?

2. Is the government empowered to compel the banks of this country, to look after their own notes, and withdraw them from circulation, as they assume a disgusting appearance?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. It is presumed the question refers to Dominion notes and not notes of the Dominion Bank. So far as Dominion notes are concerned, notes soiled by usage and unfit for circulation are redeemed on presentation by banks or individuals at the offices of the Assistant Receiver General. Such notes to the amount of $15,650,526.50 were redeemed between April 1, 1910, and this date.

2. The only statutory provision relating to torn or partially defaced bank notes is found in subsection 2 of section 27 of the Bank Act, and is as follows: 'No payment, whether in Dominion notes or bank notes, shall be made in bills that are torn or partially defaced by excessive handling. 53 Victoria, chapter 31, section 57.'

THIRD READINGS.

Bill (No. 63) An Act to incorporate the British Columbia and Dawson Railway Company, as amended.—Hon. Mr. Bostock.

Bill (No. 20) An Act respecting Mather Bridge and Power Company, as amended.—Hon. Mr. Gibson.

Bill (No. 92) An Act respecting the Alberta Central Railway Company, as amended.—Hon. Mr. Talbot.

SECOND READINGS.

Bill (W-1) An Act to incorporate the New Ontario and Quebec Railway Company.—Hon. Mr. Jaffray.

Bill (No. 113) An Act to incorporate the British Columbia and Central Canada Railway Company.—Hon. Mr. Riley

OPIUM AND DRUGS BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole. Consideration of Bill (No. 97) An Act to prohibit the improper use of Opium and Drugs.

(In the Committee.)

On clause 3,

Hon. Mr. POWER—When the committee rose it had under consideration an amendment which I proposed to insert. After the word 'purposes' in line 27, add the words 'shall be guilty of a criminal offence and.' The right hon. gentleman in charge of the Bill informs me that he does not think the amendment can do any harm, and he assents to it.

Hon. Mr. WILSON—Before adopting clause 3, we ought to have more information as to how it will operate. As it appears in the Bill, it might frequently lead to a great deal of hardship to those who happen, by chance or accident, or other means, to have some of these preparations in their possession. The clause reads: 'Every person who without lawful or reasonable excuse'; what does the clause mean when it says 'without lawful or reasonable excuse'? Then it goes on further:

Imports, manufactures, sells, offers for sale, has in his possession, or takes or carries or causes to be taken or carried from any place in Canada to any other place in Canada, any drug for other than scientific or medicinal purposes, shall be liable, upon summary conviction, to a fine not exceeding five hundred dollars and costs, or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

We have upon the statute-book many enactments of this nature. If a person is found, under a certain age, using tobacco, smoking or chewing, the vendor is punished by fine and imprisonment. Don't you think, Mr. Chairman, that we have just about enough of these Acts upon the statute-book, and is it proper, is it reasonable and just that everything of this kind should be regarded as a criminal offence? Many persons might not only be found with an opiate in their possession by having it in their pockets, but they might have it at home; if it is found at all the person is liable to fine and imprisonment. We have crimes enough already. The people are liable to prosecution for offences similar to this at the present time, and to make this a crime is a very harsh measure. There is no reservation. A party might be in the habit of using these drugs, and might find it almost impossible to do without them, and yet if found with them in his possession he is liable to this penalty. We medical men know how hard it is to break off some of these habits. There are many men, as well as women, who would find it almost an impossibility to lay aside the tobacco weed; they must either burn it or eat it, and if they have the same habit with regard to these drugs, and the drug should be found in their possession, they would be found guilty and fined. The indiscriminate use of opium is a very deleterious habit, yet that is no justification for making the use of it a criminal offence. This habit is principally among the Chinese. Have we a right to make criminals of people, because they have learned the habit in their younger days and now desire to continue it? They give no offence except by injuring themselves. If we are going to make it a crime, punishable by a heavy fine and imprisonment, because people desire to continue a habit that they learned when young, then you will have plenty of these things to look after. Much of the habit of using opiates, morphine or cocaine, has been brought about by its indiscriminate use as authorized by physicians. A patient may be suffering a great deal of pain, and we all like to get rid of suffering. The physician is appealed to and gives something to relieve the pain, as he is justified in doing; but later on that same person may have another pain and want the same relief, and he expects to get it. If there is no physician who can give it, then he has no right to get it and have it in his possession, and he is obliged to suffer the pain; or if he procures the drug, he is liable to punishment for a violation of the law. I would appeal to the right hon. gentleman to reconstruct this clause. Why is it that this stringent law is brought in at the present time? It is said that a recent convert is stronger in his views than an old apostle. Who is it that is responsible for putting this stringent regulation on the statute-book? I would call the right hon. minister's attention to clause 3 and the subsequent clauses as being unreasonable in their application to the public. If the habit has been acquired through the indiscriminate use of the drug by a physician, why not punish the physician? One hon. gentleman in this House said that if this clause were applied, it would prevent many farmers from keeping the drug in their possession, and it would very seriously interfere with their having such drugs on hand for the treatment of sick cattle. That is a matter that should be considered. If the right hon. gentleman can show a real necessity for this, and that the people should be deprived of an opportunity of treating their animals for diseases without going to a physician or veterinary, I suppose it should carry, but otherwise I certainly think it should not become law. The statute-book to-day is covered with laws declaring many things crimes and offences. Do the government see that these are carried into effect? Some portions of this Bill might come under the jurisdiction of this House, but a good part of it is within the jurisdiction of the local legislatures. If we force this clause through in its present shape, it will certainly do an injustice to many people. All prescriptions of the various kinds of drugs come under the jurisdiction of the local legislatures. The Dominion has no jurisdiction in the matter, and we should be thoroughly satisfied that a law going to the extent of this Bill is really necessary before enacting it. I am not in favour of this clause and I submit that it should not pass at the present time.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my hon. friend will examine it he will see that the words 'lawful or reasonable excuse' will prevent any oppressive use being made of it.

Hon. Mr. POWER—'For other than scientific or medicinal purposes.'

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes. 'Without lawful or reasonable excuse imports,' I think will save any oppressive use of it.

Hon. Mr. POWER—The hon. gentleman from St. Thomas has made some reference to the unwisdom of creating new crimes. I quite agree with him as to that; but sometimes conditions arise that the ordinary civil legislation is not sufficient to cope with. In the province of Ontario they have a good deal of legislation intended to prevent the improper use of opium and its extracts. They have passed a stringent measure in the province of Quebec to that effect. That shows that the improper use of opium, cocaine and other drugs is becoming much more prevalent than it was, and no doubt the hon. gentleman, as an experienced physician, is aware of the fact that the increase in the consumption of these drugs has been very great, and that the increase is really a threat to the prosperity and physical well-being of a great part of the population of Canada; so that the government, who are in charge of the whole country, have found it necessary, in addition to the local legislation, to introduce Dominion legislation. The hon. gentleman is perhaps right in saying that a portion of the Bill does not come within the sphere of the Dominion parliament, but the declaration that the party who does a certain thing is guilty of a criminal offence removes the doubt, and it is clear the matter would then come under the jurisdiction of parliament. It seems to me that parliament is doing only its duty by the people of the country to take steps to prevent, or at any rate to minimize, the use of these objectionable drugs. As a member of the medical profession, I think the hon. gentleman ought to be pleased to see that for the future the consumption of these drugs shall be limited to cases where they are either used for scientific or medicinal purposes, or are prescribed by a physician. The hon. gentleman made some reference to the case of a farmer whose animal was sick. I understand that the hon. gentleman from Glengarry has an amendment which he intends to propose, to the fifth clause of the Bill which will provide for the case of the farmer's animals.

Hon. Mr. THOMPSON—I understand there is an amendment suggested by the hon. member from Halifax, and I rise for the purpose of asking some further explanation of that suggested amendment. I understood the hon. member from Halifax to state that the leader of the House, who had charge of this Bill, said there was no harm in the amendment. That does not suggest that the amendment is of any value, and the mere proposition that there is no harm in it can hardly justify amending the clause.

Hon. Mr. POWER—I tried the other day to make it clear that the amendment was necessary.

Hon. Mr. THOMPSON—I understood the hon. gentleman to say that the leader of the House said there was no harm in it.

Hon. Mr. POWER—That was from the point of view of the right hon. leader of the House. I contended that the amendment was necessary in order to give this parliament jurisdiction, and unless you bring the subject within the Criminal Law this parliament has no jurisdiction to deal with the matter. It is a matter affecting civil rights and property. The right hon. gentleman demurred the other day, but after consultation with his colleagues, as I understand, he says now that there is no harm in it from his point of view, and that, pro tanto, is accepting my view.

Hon. Mr. BAIRD—I presume the object of this Bill is to prevent the indiscriminate use of cocaine, opium and morphine. I understand these drugs have been used to a great extent, not for medicinal purposes, but that in many cases school children have been in the habit of using them, and I offer no objections to any legislation which will prevent the indiscriminate use

of these drugs. But I think we ought to be careful for fear we go too far and interfere with the class of people who might take these drugs as medicine. Take, for instance, section 5, 'Any person who deals in any drug,' &c. A drug, as defined, means and includes originally cocaine, opium and morphine. The hon. gentleman from Glengarry has introduced an amendment which includes tincture of opium, which is laudanum, wine of opium, opium lozenges, tincture of camphor, which means paregoric. We all know that in lumber and mining camps from time immemorial they have been obliged to take a supply of laudanum, paregoric, pain-killers, and liniments into the lumber camps and sell it to the men who work for them. It would be a very difficult matter if they were obliged to get a prescription from a druggist if they had to supply a little paregoric to relieve toothache, or in the case of liniments, which all contain some small portion of the articles mentioned, for use where a man had a sprain; and I think we ought to be very careful for fear we interfere with the rights of people who are obliged to carry a supply of these things into the lumber and mining camps, far away from the druggist. As the Bill originally read it is all right, and it would be very well to leave it as it is. This amendment seriously interferes with the rights and privileges of lumbermen and miners especially. It would be impossible to carry on the lumber business without having a good supply of liniment, pain-killers and paregoric in the camps to provide the men with relief in case they take sudden cramps, as is very often the case with men out working, getting very much overheated and then getting cold driving on the sleds. I hope the committee will seriously consider this phase of the question when we come to that section.

Hon. Mr. McMILLAN—If the hon. gentleman will read my notice of amendment he will find that it provides for what he speaks of. My motion reads as follows:

That section 4 of the said Bill be amended by adding after the word 'opium' in the first line thereof, 'or takes internally any extracts derivatives or preparations thereof,' and after the word 'smoking' in the third line of the said section 'or extracts, derivatives or preparations therefrom, for internal use, except as provided in sub-section 3 of section 5.'

Add the following as sub-section 3 of clause 5:

'3. Nothing herein contained shall affect a physician or veterinary surgeon who may grant a certificate to any druggist to sell or supply any such drugs to a person to be kept for medicinal use as a home remedy where a supply is necessary in case of sickness and emergency, or where the owner of horses, cattle and other domestic animals, is of necessity obliged to keep on hand a supply of such drugs for medicinal application and use. Provided such certificate is filed with the druggist and a duplicate thereof is furnished to the purchaser, and such certificate shall be valid as against any prosecution under this Act.' And that the Schedule be so amended:

Cocaine.
Opium.
Morphine and the salts of Morphia.
Tincture of opium (Laudanum).
Wine of opium.
Opium lozenges.
Compound tincture of camphor (Paregoric).

Hon. Mr. BAIRD—I have read that amendment and I fail to see that it answers my point.

Hon. Mr. McMILLAN—The reason why I gave the schedule is this, that cocaine and opium are two entirely different medicines, even different in their action, and cocaine is very little used by medical men except as an anæsthetic. The way it read in the schedule was cocaine, morphia and opium. Morphia came first, while morphia is simply derived from opium. There are so many preparations of opium used by people who are addicted to the internal use of opium, that I thought it would be well to mention more than morphia or the preparations of the salts of morphia. There are three salts of morphia that I can remember at the present time. All these preparations are used instead of morphia. Tincture of opium, which is laudanum, is another medicine which is used by opium eaters, as they are called, and so is the wine of opium. You can carry these in your pocket. Only a few drops are required. Black drop is stronger still than either of the others. Opium lozenges are a very nice preparation to carry if you want to use opium, and worse than all is paregoric, which is used by mothers and nurses with children to allay their pain, and I am very much of the opinion that when those children grow up they are inclined to be morphia or opium eaters. There is a stage at which

you must drop the paregoric; still the craving may remain, and I think that that ought to be included, and that is the reason why I thought it well to give notice of this amendment to the Bill and not leave it with the Governor General in Council.

Hon. Mr. BAIRD—The hon. gentleman's amendment reads:

3. Nothing herein contained shall affect a physician or veterinary surgeon who may grant a certificate to any druggist to sell or supply any such drugs.

Then it follows that if a man wants to get a supply of goods to take into a lumber camp he has to apply to a physician or veterinary surgeon.

Hon. Mr. McMILLAN—Not every time he requires to use his supply. He can take his supply to the woods.

Hon. Mr. BAIRD—The hon. gentleman will agree with me that before he can take any paregoric or liniment into the lumber camp he must apply to a physician.

Hon. Mr. McMILLAN—Pain-killer is a patent medicine. I do not know anything about it. I think 90 per cent of it is laudanum.

Hon. Mr. BAIRD—But he must get a certificate from a physician before he can take it into a camp.

Hon. Mr. McMILLAN—No.

Hon. Mr. BAIRD—I think if we were to provide legislation against mistakes made by druggists it would be better. There are more lives lost through that, than through the use of simple remedies.

Hon. Mr. McMILLAN—I think it would be well to place the supervision under some authority, and you cannot very well put it under anybody else than the medical men and veterinary surgeons.

Hon. Mr. BAIRD—The mothers do not kill very many children.

Hon. Mr. McMILLAN—I know that the medical profession is always against the use of paregoric by mothers and nurses.

Hon. Mr. WILSON—Before clause three is passed, I desire to ask the hon. senator who has just spoken, whether he has any amendments to propose that would change the nature of the Bill as suggested by the hon. gentleman from Halifax. He conveyed the impression that there would be amendments moved, and the hon. gentleman from Glengarry gave notice of some amendments which would materially change the nature of the Bill. If any hon. gentleman has any such amendments and would be kind enough to intimate how they would affect the Bill, I would be in a position to appreciate the remarks made by the hon. gentleman from Halifax; but without that we have to consider the clause as it is presented to us. I have no sympathy with the remarks of the hon. gentleman from Perth Centre (Hon. Mr. Baird) who talks about mothers giving paregoric to their children I believe there are more children killed by paregoric than in any other way. A mother takes her child's life in her hands if she gives it paregoric. When a physician is called to see a child in convulsions, the first question asked is 'What have you been giving the child? However, I may not be a good authority on this subject, because I never had any children to take paregoric, but people not acquainted with the nature of the drug should always avoid using it. There are more children destroyed in convulsions than from any other cause. But while this is the case, does the hon. promoter of the Bill pretend that this is more injurious than other things? The smoking of cigarettes by the rising generation destroys more lives and does a greater amount of injury than the use of opiates. Even a cigarette may or may not contain some of the Chinese preparations of opium, and, therefore, the intention and desire of the government to carry into effect the beneficial results of their legislation, should impel them to see that the law on the statute-book at the present time is enforced. Why enact a law and leave it as a dead letter? That is wrong indeed.

Hon. Mr. McMILLAN—My amendment refers more particularly to clauses 4 and 5. I did not take up clause 3 at all, but something came up by which a reference was made to clause 3, which brought me to my feet and I followed up by stating

what amendments I was going to move to clauses 4 and 5.

Hon. Mr. WILSON—Then it would not affect the Bill, and I rather think that if I had quietly submitted and not ascertained the facts of the case, I would have been misled; therefore I call upon the hon. member from Halifax to introduce the amendments he had in his mind, which he thought were to be introduced by the hon. gentleman from Glengarry, and we will discuss them. I shall be very glad to take these amendments into consideration when we are discussing the other clauses.

The clause was adopted

Hon. Mr. McMILLAN—I beg leave to move the following amendment to clause 4:

That section 4 of the said Bill be amended by adding after the word 'opium' in the first line thereof, 'or takes internally any extracts derivatives or preparations thereof,' and after the word 'smoking' in the third line of the said section 'or extracts, derivatives or preparations therefrom, for internal use, except as provided in sub-section 3 of section 5.'

Add the following as sub-section 3 of clause 5:—

'3. Nothing herein contained shall affect a physician or veterinary surgeon who may grant a certificate to any druggist to sell or supply any such drugs to a person to be kept for medicinal use as a home remedy where a supply is necessary in case of sickness and emergency, or where the owner of horses, cattle and other domestic animals, is of necessity obliged to keep on hand a supply of such drugs for medicinal application and use. Provided such certificate is filed with the druggist and a duplicate thereof is furnished to the purchaser, and such certificate shall be valid as against any prosecution under this Act.' And that the schedule be so amended as to read as follows:—

Cocaine.
Opium.
Morphine and the salts of morphia.
Tincture of opium (Laudanum).
Wine of opium.
Opium lozenges.
Compound tincture of camphor (Paregoric).

I gave notice of this amendment because clause 4 conveys the idea that opium is used generally by white people as well as by Chinese. I have never known, in all my experience, Canadians, or any of our race, to smoke opium at all.

Hon. Mr. CASGRAIN—Oh, lots of them in Montreal smoke opium.

Hon. Mr. McMILLAN—It is because they come in contact with the Chinamen. Certainly in our town and in the country they do not They use, as I have already said, the preparations of morphia, or laudanum, or any of those derivatives of opium which they carry in their pockets and can use internally; for that reason I thought it well to amend the clause by adding these words. When we come to subsection 3 of clause 5, the application of these amendments will be seen.

Hon. Mr. WILSON—This clause requires careful consideration. No doubt the intention is good, but it would open up a wide field for litigation and difficulty. It says: 'Every person who smokes opium, or who, without lawful or reasonable excuse,' &c. If an individual with whom the opium is found comes before a justice of the peace, difficulty will be found in deciding what is a lawful or reasonable excuse. Who is to decide as to the legality of the excuse? It will engender litigation to an extent that will be serious indeed. Then, if you find paregoric, or other preparations of opium have been used, and the accused can produce a certificate of a doctor, the druggist has no right to refuse to sell it to him, and he is entitled to have the drug in his possession. What I complain of in this clause is the provision that 'Every person who smokes opium, or who without lawful or reasonable excuse,' &c. Will the right hon. leader of the House say what is a reasonable or lawful excuse? It does not say it will be dependent upon the certificate of a physician, but it must be a lawful or reasonable excuse and where one magistrate would interpret it one way, another magistrate would place a different construction upon it. He may be fined in the first instance and have to appeal to some other court for justice, and if we are to adopt clause 4 we certainly require an explanation as to the meaning of the expression 'lawful or reasonable excuse.' If a man is found with any of the prohibited drugs in his possession he has no right to have them there, and he must show a reasonable excuse. The burden of proof rests upon him and not upon the person complaining. I do not think the right hon. leader of the House intends to place on the statutes any such provision as that and get us into diffi-

culty. I disapprove of the use of morphia or opium and do not use them, and have not for years in my practice, unless in using a hypodermic or something of that kind. The habit is a dangerous one. I believe the physician who, when called to a patient, gives him some anodyne, for the sake of relieving pain, is not a true physician. That is not the object of his bein called. He is there for the purpose of ascer taining the nature of the disease and treating it, and if he gives something merely to relieve pain, he is not doing his duty. I say without any hesitation that this clause is a dangerous one and that it should be dropped from the Bill.

Hon. Mr. ELLIS—This clause is drawn for a particular purpose, namely to prevent the smoking of opium. To load it with any other regulation, as the hon. gentleman from Glengarry proposes, would, I think, be a mistake. Upon the surface of the two clauses, it is very plain what they mean. If it is desirable to adopt further limitation as suggested by the hon. gentleman, then it would be better to make a separate paragraph of that, because anybody who looks at this clause can see that it is merely for a particular purpose.

Hon. Mr. McMILLAN—It is intended for those who have the habit of smoking opium. It is not only smoking the drug that injures; the habit of taking it internally, when once contracted, is just as bad and is almost impossible to break off.

Hon. Mr. BAIRD—If the Bill were left as originally drafted it would do no person any harm, and would accomplish the objects that were intended when it was first introduced. I think that amendment should not be adopted.

Hon. Mr. WILSON—We should have the amendment before us in order that we may consider its effect upon the other clauses of the Bill. It is hardly proper to introduce an amendment of that kind without knowing the effect it will have, and I think the clause had better stand.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think my hon. friend is right, and if the hon. gentleman will place his amendment on the Order Paper, to be considered on the third reading, I would then be in a better position to express an opinion about it.

The SPEAKER (Hon. Mr. Kerr)—He should do that as a substantitive section. The point taken by the hon. gentleman from St. John (Hon. Mr. Ellis) is a very good one. The one clause is clearly intended to prevent a person from smoking opium, and the other clause is to prevent taking it internally.

Hon. Mr. BAIRD—If this amendment is carried, it will prevent country stores from selling any of the articles in the schedule. I have no objection to opium, cocaine or morphine standing in the Bill; but country stores would be prevented from keeping paregoric or pain-killer or liniment, and how are the people in the country to get a druggist?

Hon. Mr. POWER—That does not come under this clause. In order to harmonize clause 4 with clause 3, I move that after the word 'smoking' in the third line the words, 'shall be guilty of a criminal offence and,' be inserted and that after the word 'opium,' in the ninth line, the words, 'shall be guilty of a criminal offence and,' be inserted.

Hon. Mr. MACDONALD—I submit that the committee do now arise and refer this matter to a select committee of medical men in order to avoid confusion.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am afraid we would never get it through then.

Hon. Mr. WILSON—The object of the government in introducing this Bill is a good one, and if properly administered it will do a great deal of good; but we ought to know what we are doing with reference to it. I doubt if half a dozen members in this Chamber really understand the effect of the amendment to the Bill. I believe that if we can do away with opium in every shape and form we can get through the world, and perhaps live longer without it. But there are certain rights that the people should be permitted to enjoy. There are those who have used opium for years

without any serious results. Have they to endure all the torments that must follow the sudden deprivation of a drug that they have been accustomed to? I desire to find out what is considered a legitimate purpose. I have desired to find that out and I have had no reply. Not only that, but I have asked to know what effect this amendment will have upon the Bill if it is incorporated in it. Of course I can wait and see it in print and consider it on the third reading; but sometimes these Bills are rushed through very rapidly. They are not considered carefully; they go through without our knowing fully what the effects of them are likely to be. I might say to the right hon. leader of the House, and to the Senate, if they are so desirous of trying to do that which will in any way ameliorate the suffering of the people of Canada, there is another habit which demands their attention—the drink habit. It would be legitimate for them to adopt means to check the drinking habit, and in doing so they would do away with a greater amount of injury than the injury arising from the opium habit. Yet we sit here quietly and allow a worse evil to exist in the land, while we are attempting to restrict some old lady who has been in the habit of using her pipe, and perhaps with some opium in it, and smoking to relieve the pain in her stomach or something of that kind. You deprive her of this and let her suffer while you do not try to deal with other and worse habits. Is it necessary that we should do this? What is the reason of it? We know pretty well that this habit does not exist to any great extent except with a certain class of people. Let the government look after these people that come here and get into the habit of using opium and creating opium dens. There is a law to punish that; let them enforce it, and they can do so without interfering with people who have lived a useful and law-abiding life up to the present time, and perhaps in their old age, when they require something of this kind to soothe them on the path downwards, they are prevented from using it under the penalty of a fine of $500 or imprisonment, and made felons of for the balance of their lives. To me it appears very strange legislation. It may be that I am wrong and that the legislation is right. That is very likely what a majority of the senators will say; but while I can raise my voice I shall do what I can to defend those whom it is proposed to deprive of privileges unnecessarily. They would be willing to submit, if it were necessary, in the interests of the public, but they have rights as well as those who sit here and legislate against them. Therefore, I am opposed to that clause, and if we are to go on with it I shall take an opportunity on the third reading to see that these clauses are all examined into.

Rt. Hon. Sir RICHARD CARTWRIGHT—The department have had a good many representations from wholesale druggists, and they propose to add in line 15, after the word 'dentist' the words 'or to a bona fide wholesale druggist.' If there is any dispute about that, I will bring it in on the third reading, as I suggested to my hon. friend.

Hon. Mr. LOUGHEED—Will my right hon. friend say what constitutes a wholesale druggist? An ordinary everyday druggist has the sanction of an organized school or incorporated body to carry on his business. I do not think any such thing applies to a wholesale druggist.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think they must come in under it.

Hon. Mr. POWER—Does not the wording cover it?

Rt. Hon. Sir RICHARD CARTWRIGHT—In line 15 of section 5, it is proposed to make it read: 'to any person other than a duly authorized and practising physician, veterinary surgeon or dentist, or to a bona fide wholesale druggist.'

Hon. Mr. LOUGHEED—Let us consider this point; if it requires the sanction of law to constitute a druggist, then it must likewise require the sanction of law to constitute a wholesale druggist. Because, a man may call himself a wholesale druggist, or because he may deal largely in drugs wholesale, he is not necessarily a druggist if the provincial law defines what should constitute a druggist. It seems to me that the

term would be meaningless. I think you should say, one dealing wholesale in drugs. If there be a requirement by a statute that a man should not carry on the business of a druggist except under certain conditions, then there certainly cannot be a wholesale druggist except there be a like section.

Rt. Hon. Sir RICHARD CARTWRIGHT —What do you suggest?

Hon. Mr. LOUGHEED—'Or to a dealer' carrying on a wholesale business in drugs,' or something to that effect.

Hon. Mr. McMILLAN—There is a distinction drawn between a druggist who sells by the ounce or by the gallon, or by the drachm, or by the pound, and a prescribing or dispensing druggist.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my hon. friend will read the next line he will see besides the words 'wholesale druggist' the words used 'or to a druggist carrying on business in a bona fide drug store.'

Hon. Mr. BEIQUE—'Wholesale druggist' would be a wholesale druggist in a bona fide drug store. These words will cover the suggested amendment.

Hon. Mr. McMILLAN—I think so.

Hon. Mr. POWER—I suggest that after the word 'business' in line 16, we insert the words 'wholesale or retail.' Then it will read 'a druggist carrying on business wholesale or retail in a bona fide drug store.'

Hon. Mr. LOUGHEED—My hon. friend does not catch what I mean. If it rests with the province, as it no doubt does, to define what shall constitute a druggist, and it requires that man to have a certificate under the provincial statute to do business as a druggist, then we cannot draw a distinction between whether that man deals wholesale or retail in drugs. A wholesale druggist, consequently, to be a druggist—I don't care whether he is a wholesale or retail dealer—would have to come within the provisions of the provincial Act.

Hon. Mr. POWER—I do not think the words are necessary.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not myself advised as to what the special reason was for the department asking for that insertion, but I give notice that I will move it on the third reading, and then we can discuss it more intelligently.

Hon. Mr. LOUGHEED—I am not opposed to it; the only thing is I would like to know what is the meaning of 'wholesale druggist.'

Hon. Mr. DANDURAND—Under the Quebec Provincial Act I am quite sure there is a distinction made between a wholesale druggist and the ordinary dispensing druggist, and that the provincial interpretation clause would give us the status of a wholesale druggist.

Hon. Mr. LOUGHEED—I do not know; I am asking for information.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will give the reason the department ask for it, and if there is any discussion about it we shall leave it over to the third reading. 'This is necessary,' they say, 'because the section as it stands does not make provision for the sale by manufacturers to wholesale druggists of the drugs to which this Act applies.' That is their reason for asking for it. I am not specially conversant with it, and I have no objection to discussing it on the third reading if hon. gentlemen prefer.

Hon. Mr. LOUGHEED—I simply ask for information. We are using a term now that is, of course, in use in every-day commercial life; but we are using it in its legal sense.

Rt. Hon. Sir RICHARD CARTWRIGHT —They provide for the ordinary druggist in the next line, 'or to a druggist carrying on business in a bona fide drug store.' I will either move it on the third reading or now.

Hon. Mr. DERBYSHIRE—Put it right in now.

The SPEAKER—There is a definition here given of the word 'drug'; at the same

time it does not exclude its application to any other thing which is not enumerated, or which may be fairly called a drug. What about a patent medicine? Is it intended to confine the business of dealing with patent medicines only to druggists?

Rt. Hon. Sir RICHARD CARTWRIGHT —No.

The SPEAKER—Then it seems to me that is too wide altogether. 'Any person who deals in any drug, who gives, sells, or furnishes any drug to any person other than a duly authorized and practising physician, veterinary surgeon, or dentist, or to a druggist carrying on business in a bona fide drug store;' that does not enable anybody but a druggist to sell to the public.

Hon. Mr. POWER—If his honour the Speaker, will look at the interpretation clause, it says 'drugs, means and includes any substance mentioned in the schedule to this Act; or which may be added thereto under the authority of this Act;' and it does not include anything else. The schedule says 'cocaine, morphine, opium,' these are the only things.

The SPEAKER—If it said drugs named in this schedule that would be another thing.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Interpretation Act will govern, surely.

The SPEAKER—A drug would be still a drug although it is not named in that section.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think not. If you look at the Interpretation section it says that drug, when used in that Act, means so-and-so and means nothing else.

The SPEAKER—If you confine it in that way, but otherwise by merely having a schedule it will give three things. If you said it means the articles mentioned in that subsection only, in so far as this Act is concerned, and confine it to that, it may be all right, otherwise I think you would have that word drug used very much more extensively than is intended by the Bill.

Hon. Mr. McMILLAN—While I approve very much of this Bill, it is going to cause a very great demand for Pain-killer, Radway's Ready Relief and all medicines of that kind containing opium.

The amendment was adopted.

Hon. Mr. BEIQUE—I beg to call the attention of the right hon. gentleman to the words in line 25, 'on more than one occasion.' It seems to me that those words should be struck out, otherwise it would be perfectly permissible to sell it once without the authority of the prescribing physician. That should not be the case, and that is not the intention. It should not be allowed once any more than twice or three times.

Hon. Mr. POWER—Look at line 20.

Hon. Mr. BEIQUE—'Any druggist who gives, sells or furnishes any drug except upon a written order or prescription signed by a duly authorized and practising physician, veterinary surgeon or dentist, or who, without the authority of the prescribing physician, veterinary surgeon or dentist, uses any prescriptioin to sell any drug on more than one occasion.' Why should not that be struck out?

Hon. Mr. POWER—They should not serve it twice on the one prescription.

Rt. Hon. Sir RICHARD CARTWRIGHT —The object seems to be plain enough. He is not allowed to do it at all except under a prescription, and he is not allowed to use the same prescription twice over. That appears to be the fair construction of it.

Hon. Mr. POWER—I move to insert in line 31, after the word 'officer' the words 'shall be guilty of a criminal offence and'.

Rt. Hon. Sir RICHARD CARTWRIGHT —You are determined to carry that through.

Hon. Mr. POWER—Yes, it has to be carried through.

Hon. Mr. LOUGHEED—Would not it be better to put it in a separate section?

Hon. Mr. POWER—We have about finished it now.

Clause adopted.

On clause 6,

6. Any person without lawful or reasonable excuse exporting or attempting to export any drug to any country which prohibits the entry of such drug shall be liable, upon summary conviction, to a fine not exceeding five hundred dollars and costs, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

Hon. Mr. LOUGHEED—Will my right hon. friend explain this section? In the first place, this parliament would have no authority to exercise territorial jurisdiction. Why do we make it a criminal offence to export? Furthermore, we do not export. There are no cases in Canada in which we export opium. Or is that meant for importing?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, it is not meant for importing.

Hon. Sir RICHARD SCOTT—The clause is all right.

Hon. Mr. LOUGHEED—I want some further explanation than that the clause is all right. I am like the gentleman from Missouri, 'I must be shown.'

Hon. Sir RICHARD SCOTT—In many countries these poisons are actually prohibited to-day. They are very insidious. There are fifty ways in which they can be brought in. Sometimes they are imported with a dead body in a coffin. Men put them in their boots.

Hon. Mr. LOUGHEED—This deals with exportation.

Hon. Sir RICHARD SCOTT—No country has a right to export to a country whose laws prohibit its entry. I think the great disgrace of the age is the fact that the British government authorize the government of India to continue the export of opium into China. China went on her knees and begged of the imperial authorities in every way to stop the importation of opium. They did all they could to stop the growing of the poppy, and yet they cannot succeed, because India derives a considerable revenue from the opium by exporting it to China, against the will of the people of China, and I think it is a great disgrace to the age that such a policy should be allowed where the Union Jack floats. The hon. gentleman thinks this law stringent. It is not as stringent as many Acts passed in other countries. It is borrowed from an Act passed in the state of New York, but it has been cut down and modified. To show the necessity for legislation of this kind, the government in the province of Quebec has introduced a Bill, some clauses of which are far more stringent than the one we have under consideration. Now the necessity for that arose because in the province of Quebec the mortality among children has been something appalling, particularly in the city of Montreal, where soothing syrup has been given to children. I have in my hand a list of a dozen prescriptions and I have no doubt some of them are on sale in Ottawa, because I see by the Trade and Navigation returns that we import a very large quantity of these patent medicines.

Hon. Mr. LOUGHEED—Before my hon. friend starts on so formidable a subject, would he listen to my objection? What I asked for is information as to the exportation. What he is referring to doesn't touch the question in point.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may say to my hon. friend that I believe the real cause for introducing that was because of a good deal of trouble that has arisen on the Pacific steamers from Chinamen attempting to import opium into China.

Hon. Mr. LOUGHEED—If there is a condition existing requiring legislation of this character, I can understand it I was unaware that we exported drugs of that kind. I would call my right hon. friend's attention to the fact that clause 3 should meet the requirements he has in view. It is a contravention of the Act for any one to have in his possession such a drug as we are attempting to legislate upon. And if he has it in his possession for any other purpose than a scientific purpose he comes within the Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —The number of ways in which these Acts dealing with opium have been evaded are simply innumerable. The Chinaman is a gentleman of ways that are dark, as my

hon. friend knows, and tricks that are vain, and he has practised them about two thousand years and we have to take extra pains in his case.

Hon. Mr. LOUGHEED—If there is such a condition as my right hon. friend says on the Pacific coast, then I can understand it.

Hon. Sir MACKENZIE BOWELL—Supposing a wholesale druggist in Montreal has a consignment of opium sent from China, not for the purpose of home consumption but for the purpose of exporting it to any other country, would he come within the meaning of this clause?

Rt. Hon. Sir RICHARD CARTWRIGHT—In one case he would. If he was exporting it to a country which by law prohibited the importation, not otherwise.

Hon. Sir RICHARD SCOTT—These soothing syrups sold in the province of Quebec are used largely, and I have now before me the official sessional papers, and out of thirty-four thousand children born in that province there were sixteen thousand three hundred and eighty-four deaths of children under the age of five years. Just half of all the children born in the province of Quebec died, largely from using these drugs. I think half of the children born are put to death by the sale of these cordials and yet some hon. gentlemen say the law is too strict.

The clause was adopted.

On clause 8,

8. When any person is convicted of an offence against this Act, the convicting magistrate may adjudge and order, in addition to any other penalty or punishment, that the drug in respect of which the offence was committed, or which has been seized under the search warrant as aforesaid, and all receptacles of any kind whatsoever found containing the same, be forfeited and destroyed, and such order shall thereupon be carried out by the constable or peace officer who executed the said search warrant, or by such other person as may be thereunto authorized by the said convicting magistrate.

Hon. Mr. WILSON—Would this embrace the case where the lumbermen have been mentioned, or where farmers require opiates for the treatment of horses and cattle, or whatever it may be? Would they be subject to the penalty if the opiate should be found in their possession, say six months after it has been purchased?

Hon. Sir RICHARD SCOTT—Unless they have a certificate from the veterinary to justify it.

Hon. Mr. McMILLAN—You cannot have that under this Bill unless section 3 covers it.

Hon. Sir RICHARD SCOTT—That covers it.

Hon. Mr. McMILLAN—But it has never been carried.

Rt. Hon. Sir RICHARD CARTWRIGHT—It was carried a long time ago as amended.

Hon. Mr. WILSON—The hon. gentleman said they would have a certificate. They might and might not. Certificates are not always obtained by farmers, and if they were unable to find their certificates, then their supply would be destroyed. That would not be a proper course to pursue with law-abiding citizens. It would be very hard indeed to subject them to a penalty, and it would be still harder to make a man a criminal on account of the material found in his possession, and subject him to the penalty attached to that. The certificate might and might not protect him from the attack. The clause was adopted.

On clause 9,

Any drug now in the custody of any court, and any drug that may be seized for the violation of any law, shall be destroyed, unless such drug is claimed within three months after the passing of this Act, or after such seizure as the case may be, and it is established to the satisfaction of the court that no offence has been committed in connection therewith, or unless the court otherwise orders, provided, however, that the provisions of the Customs Act shall apply to any drug unlawfully imported into Canada.

Hon. Mr. WLSON—What does this mean. It says that the drug is to be destroyed unless it is shown there is no offence committed. You impose on the person in whose hands the drug is, the necessity of proving, where, how and why he obtained the drug.

Hon. Mr. POWER—I should not think so. The clause provides that if a drug is now in the custody of the court it shall be destroyed unless such drug is claimed within three months after the passing of this Act. If no offence is committed, then the party who owns the drug is expected to claim it within three months after the passing of this Act, or after the seizure, as the case may be. That does not seem an unreasonable provision. Then if the case is tried in the court it must be established to the satisfaction of the court that no offence has been committed in connection therewith, or unless the court otherwise orders. I think it is a very reasonable provision.

Hon. Mr. WILSON—That may satisfy my hon. friend from Halifax, but I should like to have a little more definite information than that. If the drug had been imported legally, will the Customs take possession and destroy it? If imported illegally, of course they have the power. It says, 'provided, however, that the provisions of the Customs Act shall apply to any drug unlawfully imported into Canada.' If it was lawfully imported into Canada, what recourse have they? What do they intend to do with it? If it is only drugs that have been unlawfully imported into Canada, I want to know what they are doing with drugs that are lawfully imported into Canada, but found in a person's possession when he is not entitled to have them?

The clause was adopted.

On clause 11,

11. One half of any fine recovered from any person convicted of an offence against this Act may be paid to the person giving information leading to such conviction, if so directed by the magistrate.

Hon. Mr. WILSON—This clause is objectionable. We have a sufficiently stringent law upon the statute-book, and you have certain officers to see that there is no violation of that law. What necessity is there to make informers of neighbours? If a man should have contraband goods in his possession, you will have some neighbour of his complaining in order to obtain a portion of the fine. I say that it is not right that one half of it should go to the complainant and the other half to the government.

Hon. Mr. DERBYSHIRE—How are you to enforce it?

Hon. Mr. WILSON—You do not require private detectives all through the country to carry out other laws. If you do, then your laws must be inefficient.

The clause was adopted.

(On the Schedule.)

Rt. Hon. Sir RICHARD CARTWRIGHT—I give notice that when the motion is made on the third reading, I shall move in amendment to add to the word 'cocaine,' the following, 'or any salts or compound thereof,' and to add to the word 'morphine,' similar words. The department wish to add to the schedule the words, 'ukaine, or any salts thereof,' that being a new drug akin to cocaine.

Hon. Mr. McMILLAN—That is a preparation of cocaine.

On clause 5, subsection 3,

5. Any person who deals in any drug, who gives, sells or furnishes any drug to any person other than a duly authorized and practising physician, veterinary surgeon or dentist, or to a druggist carrying on business in a bona fide drug store, or who neglects to make or preserve a proper record in a suitable book of the name and address of the physician, veterinary surgeon, dentist or druggist to whom he gives, sells or furnishes any drug, and the date of such sale; and any druggist who gives, sells or furnishes any drug except upon a written order or prescription signed by a duly authorized and practising physician, veterinary surgeon or dentist, or who, without the authority of the prescribing physician, veterinary surgeon or dentist, uses any prescription to sell any drug on more than one occasion, or who neglects to make or preserve a proper record in a suitable book of the name of the physician, veterinary surgeon or dentist signing such order or prescription, the date of filling the order or prescription, and in the case of a prescription the name of the person for whose use the prescription was granted, or who refuses to allow such record to be examined by any police officer, shall be liable, upon summary conviction, to a fine not exceeding two hundred dollars and costs, or to imprisonment for a term not exceeding three months, or to both fine and imprisonment.

2. Any physician who signs any prescription or order for the filling of which any drug is required, unless such drug is required for medicinal purposes or is prescribed for the medical treatment of a person who is under professional treatment by such physician, and

any dentist or veterinary surgeon who signs any order for any drug, unless such drug is required for medicinal purposes in connection with his practice as a dentist or veterinary surgeon, shall, upon summary conviction, be liable to a fine exceeding two hundred dollars and costs, or to imprisonment for a term not exceeding three months, or to both fine and imprisonment.

Hon. Mr. McMILLAN—I move that the clause be reconsidered, and that it be amended so as to read:

'3. Nothing herein contained shall affect a physician or veterinary surgeon who may grant a certificate to any druggist to sell or supply any such drugs to a person to be kept for medicinal use as a home remedy where a supply is necessary in case of sickness and emergency, or where the owner of horses, cattle and other domestic animals is of necessity obliged to keep on hand a supply of such drugs for medicinal application and use. Provided such certificate is filed with the druggist and a duplicate thereof is furnished to the purchaser, and such certificate shall be valid as against any prosecution under this Act.' And that the schedule be so amended as to read as follows:—

Cocaine.
Opium.
Morphine and the salts of morphia.
Tincture of opium (Laudanum).
Wine of opium.
Opium lozenges
Compound tincture of camphor (Paregoric).

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman can test the feeling of the House on the third reading if he deems it necessary; but the department considered the matter and were strongly of the opinion that such an amendment as he imposes would, in practice, defeat the whole object of the Bill, that it would open the door so wide that there would be no such thing as preventing the free use of these drugs. That is the opinion they arrived at after looking carefully into the matter. I would suggest, if the hon. gentleman wishes to bring the matter up fairly, he might make his motion on the third reading.

Hon. Mr. McMILLAN—I give notice that I shall move this amendment on the third reading of the Bill. I feel very strongly on the matter.

Rt. Hon. Sir RICHARD CARTWRIGHT—I will direct the special attention of the department to it.

Hon. Mr. CAMPBELL, from the committee, reported the Bill with amendments, which were concurred in.

INTERNATIONAL TRACTION COMPANY BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. WATSON moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (No. 74) An Act respecting the International Railway Company and International Traction Company.

Hon. Mr. LOUGHEED—Clause 4 of these amendments reads as follows:

'4. International Traction Railways shall for the purposes of this Act be subject to such provisions of the Railway Act as are applicable to the said purposes except the powers of expropriation.'

This has to deal with a railway in which the province of Ontario is interested, and the question comes up as to the conflict of authority between the federal government and provincial government as to this particular road. The railway in question has to do with the Niagara Park, and the Niagara Park Commission have to do very largely with administering the railway. Our general Act has a sufficiently wide provision, that if it, in law, is a railway within the Railway Act, the Act includes it, and this legislation seems to me to be unnecessary, and furthermore a precisely similar Bill has been passed by the Ontario legislature and it is desirable, for the purpose of uniformity, and to prevent a question of conflict arising, that the legislation here and the legislation of the province of Ontario should be uniform. I therefore move that that clause be stricken out.

Hon. Mr. BEIQUE—If it was not a matter of compact, as the hon. gentleman says, between the company and the Ontario legislature, I would be inclined to object to that clause being stricken out; but as it is a matter of compact, although not quite satisfactory, I do not propose to raise any objection.

The motion was agreed to.

Hon. Mr. WATSON—I move that the remaining amendments be concurred in, and that the report, as amended, be adopted.

The motion was agreed to.

BILLS INTRODUCED.

Bill (No. 93) An Act to incorporate the Alberta Electric Railway Company.—Hon. Mr. Talbot.

Bill (No. 108) An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Watson.

The Senate adjourned till three o'clock to-morrow.

THE SENATE.

THURSDAY, March 23, 1911

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

CHARGES AGAINST DR. LAVOIE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. In a letter written by the Superintendent of Immigration to his chief, the Minister of the Interior, and laid on the table of the House of Commons on the 27th April last, did Mr. W. D. Scott affirm that he was then writing to the Rev. Mr. Caffin, pastor and missionary of the Church of England, to inquire from him about the truth or falseness of the accusation preferred against Dr. Lavoie, that is to say, that Dr. Lavoie had, publicly and without reason, insulted the Rev. Mr. Caffin on the 6th June, 1909, on the arrival of the steamer 'Virginian' at Quebec?

2. Did the Superintendent of Immigration really write to the Rev. Mr. Caffin as he promised to do?

3. What was the latter's reply?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follow:

1. Yes.

2. Yes.

3. The superintendent's letter was answered in the first instance by a letter dated April 18, 1910, from the Rev. W. H. Cassap, Church of England Immigration Chaplain at Quebec, stating as follows:

The Rev. G. F. C. Caffin is no longer employed in our immigration work. His present address is St. Peter's Church, Hillcrest, Vancouver. Personally, I have nothing to complain of on the part of the immigration officials.

At the same time the superintendent received the following letter:

Hon. Mr. WATSON.

Methodist Immigration Department,
Quebec, May 12, 1910.

Chaplain, Rev. W. Jackson, D.D., 7 Prince street.

W. D. Scott, Esq.,
Superintendent Immigration,
Ottawa.

Dear Sir,—After reading a letter in L'Evenement, which contains a quotation with your signature, and the statements made in the House at Ottawa by Hon. Mr. Landry, in pure love of fair play, entirely on my own responsibility, and without any suggestion from any person whatsoever, beg to say as follows:

That ever since I was appointed immigration chaplain I have observed with admiration the courtesy, kindness and tact with which Dr. Lavoie discharges his onerous and trying duties as superintendent of immigration at Quebec. Of all these qualities, I could furnish you with endless illustrations.

When it is said that Dr. Lavoie has manifested a general antipathy toward the Protestant chaplains, I venture to affirm it to be absolutely false. Personally, I could not desire greater kindness and affability than I have experienced at his hands, and to ask a special favour has always been to have it granted.

In regard to the specific case at the SS. 'Virginian' last June, love of right compels me to say that Dr. Lavoie had ample reason for his action on that occasion, and the reproof he administered was fully deserved. While the clergyman concerned was here he was continually breaking the arrangements we had made with Dr. Lavoie, and since his departure there has not been a word or look of friction.

Personally. I could not wish to work in connection with an officer more conciliatory or gentlemanly than Dr. Lavoie.

I am yours truly,
(Sgd.) W. JACKSON.

Later the superintendent received the following letter from Rev. Mr. Caffin:

St. Peter's Church, Vancouver,
Hillcrest Post Office,
Vancouver, B.C., May 24, 1910.

To the Superintendent of Immigration,
Ottawa.

Dear Sir,—In answer to your letter of April 21, which I regret has remained unanswered so long, referring to Mr. O'Flaherty's charges against Dr. Lavoie, to the effect that he, Dr. Lavoie, took every opportunity to demonstrate his antipathy towards the Protestant ministers performing missionary work among the immigrants, and upon one occasion, June 6, on the arrival of the Allan line steamship 'Virginian' publicly and wantonly insulted the Rev. G. F. C. Caffin, the Church of England minister and missionary.

As to whether Dr. Lavoie had any antipathy towards Protestant ministers or not, I cannot say, but he certainly did not try and make things easy for us in the least, and on several occasions spoke in a most offensive manner to me before the immigrants (whom I was trying to help), and on the occasion referred to above brought me to task in a

domineering way before the whole crowd of officials, railway agents, news boys and many ladies and gentlemen who had come to meet their friends on the 'Virginian.' The circumstances were these: It was usual for me in my capacity of chaplain to the Society for promoting Christian Knowledge to go on board the steamers as soon as possible after the customs, immigration, railroad and other officials in order to meet the society's representative, one of whom accompanies most of the steamers in the season, besides any others in the first and second cabins whom we are specially asked to meet. On this occasion, Dr. Lavoie, who appeared much excited, turned upon me as I was about to go up the gangway, and ordered me off, asserting that he had told me that I was not to go on board till after the officials had come off. This was very surprising to me, as he had said nothing of the sort. However, I said nothing at the time, but afterwards went in company with the other ministers engaged in the same work. I saw Dr. Lavoie privately and he made the excuse that he was upset at the time, &c., but that in future the chaplains (two of them) should be allowed to board the steamers unmolested.

I am sorry to be asked to rake up all this and should not do so only in the interests of our work for the British immigrants. It is essential that we be not only unmolested but supported by the government officers.

Believe me, yours truly,
(Sgd.) G. F. C. CAFFIN.
Priest-in-charge, St. Peter's, Vancouver, lately chaplain to immigrants, S.P.C.K., Quebec.

He appears to be one of these gentlemen who are of a mixed breed, half Anglican, half Roman Catholic.

THE ROSS RIFLE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How many different models are there at present of the Ross rifle, and what are they?
2. Admitting that the first model had been accepted, in what does each subsequent model differ from the preceding one, which it replaced?
3. How many Ross rifles does the government now own?
4. How many of each model?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are:

1. Marks I, II, II*, II**, II^{3}*, and II^{5}*.

2. Mark II differs from Mark I as follows: Attachment of barrel to receiver. Details of mechanism. Bands, front and rear; backsight; butt plate. Mark II* differs from Mark II in slight alterations for issue to cadets. Mark II** differs from Mark II as follows: Weight; length of barrel; method of attachment of barrel to receiver; rifling; mechanism; backsight. Mark II^{3}* differs from Mark II as follows: Universal pattern sight bed; upright sight; and blade foresight. Mark II^{5}* differs from Mark II as follows: Universal pattern sight bed; upright sight; new pattern extractor.

3. 89,500.

4. Mark I.. 10,000
" II.. 38,300
" II*.. 21,300
" II**.. 700
" II^{3}*.. 7,700
" II^{5}* 11,500

SPUR LINE BETWEEN QUEBEC AND QUEBEC BRIDGE.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General praying His Excellency to cause to be laid on the table of this House copy of the order in council dated 23rd June, 1910, transferring from the government to the National Transcontinental Railway Commission the spur line between the Quebec bridge and the city of the same name.

The motion was agreed to.

SERVICES OF MR. VIEN.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government and of the House to the following facts:

1. On the 8th February last, in reply to a question put in the Senate, it was officially affirmed that Mr. Vien, advocate of Lévis, acted as agent of the Department of Justice since the 17th December, 1908, and that the department at that date, was examining the account produced by Mr. Vien for services rendered to the government, in his capacity as agent of the Department of Justice.

2. The account addressed to the government by Mr. Vien, is dated 15th March, 1910, and covers the period extending from the 17th December, 1908, to the 23rd August, 1909, or eight months and six days and amounts to $8,370,27.

3. A further authorized reply subsequently given to the Senate, informs this House that Mr. Vien condescended to lower his account of $8,370.27 to $2,875,78, including disbursements amounting to $314.52.

4. On the 15th February last this amount had not yet been paid.

5. On that date, the 21st March, 1911, a letter from the Deputy Minister of Justice was laid on the table of this House, reading as follows:—

Ottawa, March 20, 1911.

Sir,—Referring to your letter of 20th instant, Mr. Vien is not an agent of this

department under our control in anywise. He acted for us, it is true, in connection with the acquisition of the Carrière-Lainé property, but the transaction is concluded and Mr. Vien has not so far as I am aware any of the papers which belong to the government. If, therefore, Mr. Landry desires Mr. Vien to produce his papers, he will have to obtain them by such means or process as is available. The Minister of Justice, I may say, does not see that the department is in a position to assist.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) E. L. NEWCOMBE,
Deputy Minister of Justice.

C. H. Payne, Esq.,
Assistant Private Secretary,
Minister of Trade and Commerce.

The above was in reply to a request for the production of documents ordered by the Senate, on the 22nd April of last year—and he will ask:—

(a) Since when has an official of the Department of Justice the right to consider a formal order of the Senate, similar to the one issued on the 22nd April last, as the mere wish of a senator?

(b) How can an official of the Department of Justice take upon himself to declare that the department has or had not the means to compel one of its agents to obey an order of this House issued on the 22nd April last, when, eleven months after such an order had been issued, the department had not yet paid this agent the amount of the account claimed by him?

(c) And if Mr. Vien, as mentioned in the above letter, has not the papers asked for in his possession, is it not because he handed them over the Department of Justice, the officers of which are having recourse to contemptible subtility in refusing to produce them?

(d) Finally shall the department of Justice take upon itself to refuse or ignore a positive order issued by the Senate?

(e) If Mr. Vien has the documents ordered in his possession, and if he refuses or neglects to give them up, or if he seeks the shelter of Mr. Newcombe's letter to abstain from producing them, is it the intention of the government to inform him that, in the future, he should abstain from asking the government for any work, not even similar to that which suggested him to demand a remuneration of $8,370.27 for services which, after all, are more than well paid for by a sum of $2,875.78?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

(a) The Deputy Minister of Justice's letter is a mere statement for the information of the Minister of Trade and Commerce. It is not, and does not, profess to be an answer to the order of the Senate.

(b) This question is hypothetical and embarrassing. It assumes conditions which do not exist and cannot be answered.

(c) Copies of all papers with the Department of Justice have been returned.

(d) No.

(e) The government does not so intend.

Hon. Mr. LANDRY—I desire to take exception to these answers. On the 2nd of April, 1910, I made a motion in this House asking for a return to an address for the different documents relating to the appropriation of the Carrièr-Lainé property at Lévis. That address was voted by this Chamber, and nearly eight or nine months after I received the first instalment of the return, some of the details coming from the Departments of Justice and of Railways. Many documents were missing. I made two or three inquiries, and to those inquiries I received the definite answer that the government had laid before this House all the papers connected with that address which they had in their possession. I question the veracity of that answer. I have one of those bunches of papers here, the third one that was given, and I read it over and compared it with the papers that were contained in the other return. I find on page 373 the following letter written by Mr. Newcombe, the Deputy Minister of Justice, to the secretary of the Department of Public Works. He says:

I have the honour to inclose herewith a report dated 24th instant, received from our agent Mr. T. A. Vien, advocate, from which it appears that errors have been made in preparing a plan and description of the land in question and he desires to have the matter remain in abeyance until he is able more fully to investigate it.

By this letter it appears that the Deputy Minister of Justice had in his possession a report of Mr. Vien, his agent in Quebec or Lévis, and that he inclosed that report, sending it to the Department of Public Works. Where is that report? We have the letter which proves that that report has been in the possession of the government. The deputy minister has sent a copy of the report—the report dated the 24th instant. I want that report; why should I not get it? It is in the possession of the government. I ask only for matters that are in the possession of the government.

At page 374 we find a letter addressed by Mr. Newcombe to Vien, in Quebec, as follows:

'I have the honour to acknowledge the receipt of your telegram and letter of the 24th instant.'

The report was accompanied by a letter and preceded by a telegram. We have the telegram but not the letter. It is a letter written by Mr. Vien, addressed to Mr. Newcombe, and Mr. Newcombe acknowledges receipt. Where is that letter? It is not in the papers which have been filed by the department. We have a right to have that. I refer, page 375, to a letter dated 31st December, written by the Deputy Minister of Justice to the secretary of the Department of Public Works, Ottawa:

'I have the honour to inclose herewith a report dated 29th instant, received from our agent Mr. T. A. Vien.'

Here is another report sent in to the Department of Justice, and handed over by the Department of Justice to the secretary of the Public Works Department, a report from Mr. Vien, dated 29th December. We have a right to see that report; it was ordered by this House. It was written by Mr. Vien, sent by him to the Department of Justice and afterwards handed over to the Department of Public Works. It must be now in the possesison of either the Department of Justice or the Department of Public Works. An order was given by this Chamber, addressed especially to the Department of Public Works and to the Department of Justice for the production of these papers. Why should not I get them on the order of this House? We should get them or the orders of the House may be laughed at, and Mr. Newcombe may write letters or the Department of Public Works may write letters saying that it is not customary for them, when an order is given from this House, to comply with it, especially if the papers or letters have been written by one of their employees who is not residing in Ottawa.

On page 377 I find a letter written by the Deputy Minister of Justice, Mr. Newcombe, to Messrs. Casgrain, Lavery, Rivard & Chauveau, advocates, of Quebec. This letter is written on January 2, and Mr. Newcombe says: 'Gentlemen, referring to your letter of the 28th ultimo, I have the honours to state that I have transmitted your letter to the Department of Public Works for instructions. Yours truly, E. L. Newcombe.' Where is that letter? It was received by the Deputy Minister of Justice. He says he has transmitted that letter to the Department of Public Works for instructions. Why should not we have that letter?

At page 378 I find another letter from Mr. Newcombe: 'I have the honour to inclose herewith letter dated 24th ultimo, received from Messrs. Carrier-Lainé & Company, together with the documents mentioned in that letter.' That is written by Mr. Newcombe to the secretary of the Department of Public Works, and is dated 5th of January. He had the letter; it was sent to Ottawa, received and transmitted by Mr. Newcombe to the Public Works Department, and now the Department of Public Works come here and assert, by the answer that was given yesterday, that it is not the custom in that department to file letters written by persons living in Quebec or Lévis, parties who do not live in Ottawa, by their agents as they call them. There are reports on that matter which were ordered by the department. I want to see what those reports are. I prove by this letter that the letter from Carrièr-Lainé & Company has been received in Ottawa. That letter was dated 24th of December, and it has been sent over to the Department of Public Works, and I think we should have it. Page 380. The 16th of January, Mr. Newcombe writes:

I have the honour to inclose herewith the report dated 15th instant of our agent, Mr. T. Vien, advocate, in regard to the claim of Mr. Remilliard in connection with the personal property on the lands expropriated by the Crown.

There is another report made by the agent in Quebec, sent to the Deputy Minister of Justice, Mr, Newcombe, and by him afterwards sent over to the Secretary of Public Works, now in possession of the government since that date, ordered to be produced to this House by an order dated April 22, last, and yet that order has not been complied with. The letter exists; it is in the department; they need not write

to the department at Quebec to have those letters, they have them in their own files, and why do they not give them to this House? Is it because the House ordered it?

On page 382 there is another letter by Mr. Newcombe to Mr. Vien, in Quebec, dated January 16:

Referring to your letter of the 15th instant and to previous correspondence, I have the honour to inclose herewith a copy of a letter dated 16th instant, sent by the Public Works Department to Mr. A. R. Decarrie.

Here Mr. Newcombe states that he has forwarded to Mr. Vien a copy of a letter sent by the Department of Public Works to Mr. Decarrie. Why should not we get that document? It is in possession of the government. The government took the pains to send a copy of that to Mr. Vien, and when the Senate asks for a copy of it we cannot get it.

On page 386 we find another letter dated January 21, written by Mr. Newcombe to the Secretary of Public Works Department:

I have the honour to inclose herewith copy of a report dated 21st instant received from our agent, Mr. T. A. Vien, advocate, from which you will see that he has stated that the Bank of Montreal was the owner of the land expropriated at Lévis for the above wharf. As your department desires to advance the sum of $50,000 on account of the compensation, you will, therefore, be quite safe in doing this. The cheque for the same should be made payable to the Bank of Montreal and our agent jointly. I also inclose a letter received by our agent from the manager of the bank.

I want to see that letter received by Mr. Newcombe from the manager of the Bank of Montreal. That letter is not in the return that was given to this House. It exists; the deputy minister acknowledges that he received it. I think we are entitled to it.

On page 388 there is a letter written by Mr. Vien, to John Chisholm, law clerk, Justice Department, Ottawa:

I beg to inclose herewith a letter which should be attached to Mr. Cockburn's letter in your files.

Where is that letter of Mr. Cockburn's? I suppose it is the same letter alluded to by the preceding letter of Mr. Newcombe, but we want a copy not only of the letter of Mr. Cockburn but also a copy of that letter which should be attached to Mr. Cockburn's letter; the two are missing. Then there is a letter from Mr. Newcombe to Mr. Vien, dated April 14, which I will read:

Sir,—referring to your letter of the 10th instant I have the honour to return the deed to His Majesty so that you may hold it until the proper time comes to have it registered, in accordance with the arrangement with the bank. I have forwarded the deed from the Sheriff to the bank to the proper department.

(Sgd) E. L. NEWCOMBE.

Where is that arrangement, alleged to have been made with the Bank of Montreal? I asked for it, but I have not received it yet. It is in the possession of the government in one of their departments. I could go through this return quoting further instances, but I have given the principal ones.

Rt. Hon. Sir RICHARD CARTWRIGHT —If the hon. gentleman will provide me with a list of the documents that he thinks should be produced, I will cause those to be inquired after from the two departments. He is aware, of course, that there are sometimes letters which refer to several matters, and they may be of a more or less confidential character. Those it has not been the practice at any time to demand production of, unless there was special cause shown. I do not know that any of them are of that character, however. If the hon. gentleman will send me a list of the documents that he desires to see, I shall cause inquiry to be made at once about them.

Hon. Mr. LANDRY—Mr. Vien was the agent of the Department of Justice in Quebec at the time the expropriation was going on. He may say that he is no longer the agent of the department, and that they have no more authority over him, but I am speaking of the Department of Public Works, who have an agent in Quebec. The department has a man there occupying the position of a permanent clerk, who is under the authority of the department here. They can exact from him all they want. I will not be satisfied with this sort of a return. I know that the right hon. gentleman is not responsible for the answers he gives me, because he gets them

from the Department; but I am not satisfied with them. The only thing that gratifies me is the gracious way in which my right hon. friend gives the answers, but that is only the form; if he regards the merits of the question he will admit that I am right in asking for these details.

Rt. Hon. Sir RICHARD CARTWRIGHT —If the hon. gentleman will send me the particulars, I will have an inquiry into the matter made at once. I quite agree with him that the department ought to respond without delay.

BILL INTRODUCED.

Bill (X-1) An Act for the relief of Mary Jane Beatty.—Hon. Mr. Mitchell.

THIRD READINGS.

Bill (No. 77) An Act respecting the National Weekly Indemnity Company, and to change its name to The Merchants and Employers Guarantee and Accident Company.—Hon. Mr. David.

Bill (No. 74) An Act respecting the International Railway Company and International Traction Railways, as amended.—Hon. Mr. Watson.

HOURS OF LABOUR ON PUBLIC WORKS BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (No. 3) An Act respecting the Hours of Labour on Public Works.

He said: This Bill respecting the Hours of Labour on Public Works, is a very important measure, and one that has created considerable discussion throughout the country and in the House of Commons. After all, it is a very simple Bill. It practically embraces only one clause, which provides that:

> 3. Every contract hereafter made for the erection, re-modelling, construction or repair of any public building to which the government of Canada is a party, which may involve the employment of labourers, workmen or mechanics, shall contain a stipulation that no labourer, workman or mechanic in the employ of the contractor, sub-contractor or other person doing or contracting to do the whole or any part of the work contemplated by the contract, shall be required, except in case of extraordinary emergency, to work upon or in connection wtih the work contracted for, more than forty-eight hours in any one week or, where employment is for a less time than one week, eight hours in any one calendar day. Additional hours, if worked, shall be classified as overtime and paid for at a rate of not less than time and a half.

This provides that workmen shall not be compelled to work more than eight hours a day on public works, and if they do, they are to be paid time and a half for the extra time they are at work. This is a very great modification of the Bill as it was first introduced. As at first introduced in the House of Commons, it was a very drastic measure, and provided that any contractor who allowed, or permitted, under any consideration, a labourer or mechanic to work for more than eight hours a day was subject to a very heavy penalty. This Bill provides only that a contractor shall not compel his workingmen to work more than eight hours a day, and if they do he must pay them time and a half for the extra hours. The Bill has received a good deal of consideration in the House of Commons. It has passed that House and has come up to us. Inasmuch as it is a Bill of considerable importance, and many of the senators have not given it as much consideration as it deserves, if the House will permit the second reading now, without committing themselves to the principle of the Bill, it is my intention to move that it be referred to a special committee to consider and report to the House. I think that would be the better way, as it is a measure that has created so much discussion. I may say it is approved of by nearly every labour organization in the country. I myself, and I have no doubt other members of the Senate, have received petitions and memorials innumerable, almost, in favour of this Bill. I therefore have much pleasure in moving the second reading of this Bill.

Hon. Mr. MACDONALD (British Columbia)—I think the title to the Bill should be reversed, and that it should read 'A Bill for the protection of the government and contractors from union labour.' We know now that the workingman is on top. He need not work more than six hours unless he wishes. Not only that, but he prevents others from working. If he chooses to strike and another man takes his place, he

assaults that man, boycots him or burns his house down. Labour now is as strong as it ought to be, and requires no protection of this kind.

Hon. Mr. McMULLEN—I entirely dissent from the principle contained in this Bill. I do not see any good reason why the country should be called upon to pay more for public works than these public works would cost if they were erected by a private individual. Why is it that the government which erects a building in any town or city should have to pay men who worked upon the building 20 or 25 per cent more than if they were working on a building adjoining for a private individual? I think it is most objectionable legislation. It is crippling the country to secure the accommodation we require in every county, city, town and village at a price in excess of its intrinsic value. Why should that be done? I have heard no good ground advanced, either by the hon. gentleman who has introduced the Bill, or in anything I have read, to justify legislation of this kind. I admit that a great many petitions have been sent in, in favour of the Bill. By whom? By labour organizations who are everlastingly petitioning for advantages of one kind or another. I do not say that the labour organizations have not rights as well as others; but I do say that the country also has a right, and we, as representatives of the people, have a right to look after the interests of the country in matters of this kind. We are not here merely to meet the request of the labour organizations or any other organization. We are here to legislate in the direction of what we believe to be equity and justice, and to guard the best interests of the country for which we are legislating. I have no personal animosity against the labour organizations, not at all. But when they ask us to pass a law to enable them to force out of contractors pay for the performance of work in excess of what it would cost if it were not directed by the country, is unreasonable and unfair. I can well remember the time of the first World's Exhibition in London. There was a contract let for the erection of an immense hall in which that exhibition was to be held. Builders took the contract, and were to put it through and have the building finished by a certain time; but, owing to the fact that it was a public building, and that the labour organizations would not agree to permit the bricklayers to lay more than 750 bricks a day, and their instructions being to stretch out their work so as not to exceed that, the result was that the contractor could not get on with the work—it was utterly impossible to finish it in time, and they had to take the work out of his hands. What did they do? They wired at once to New York and had 200 bricklayers cross the Atlantic to finish the work, which they did.

The New York bricklayers laid from one thousand to twelve hundred and fifty bricks a day, and they finished the building in time and the organized bricklayers of the city of London stood idle, having nothing to do, looking at their American cousins doing the work that they should have done and would have done but for the rules and regulations of their orders that prevented them from laying more than 750 bricks a day. What are we going to reach in this country if we legislate in the direction of limiting the amount of work to be done by mechanics and artisans? We are going to largely increase the cost of buildings and structures of every kind. It is objectionable legislation. However, I shall defer anything further that I may have to say upon the subject until such time as my esteemed friend brings this matter before his special committee. I am willing, under the proposition that he makes, that it does not commit us to the principle of the Bill, that it shall get the second reading now and go to a special committee; but as far as I am concerned, I may say to him, and I say to this House, that I cannot be persuaded to support it. I do not know whence or how an argument could be presented that would enable me to make up my mind that the country should be called upon by force of law to pay for a day's work at eight hours on a public work in place of ten hours, as paid for by individual employers of labour. When the country is not paying for the work, the workman has to work ten hours, and the employer has to pay him for the ten hours; but if the contractor is working

for his country upon a public work for this Dominion, the workman is to get off with eight hours and the contractor has to pay the full price for ten hours. I see no justice in it at all; it is legislation that should not be encouraged, and these people should be told plainly that such legislation is contrary to the best interests of this country, and will not be tolerated.

Hon. Sir MACKENZIE BOWELL—As the hon. gentleman who made this motion for the second reading has indicated his intention to refer the Bill to a special committee, I do not propose to discuss the merits of the measure at the present moment. I merely rise to say that I am opposed entirely to the principle involved in the Bill. By referring it to a committee, those who are interested in the passage of the Bill, and those who are opposed to the Bill, will be enabled to express their views on this question, although I do not know that outsiders—those who give contracts other than the government—would appear before the committee, because, under the provisions of the Bill, it is only the government who is interested directly in the contracts which are made for the construction of certain public works. Any one who considers the provisions of the Bill and how narrow they are, referring only to certain works and not to apply to other works which may be carried on immediately alongside of a public work where a man is only permitted to work for eight hours a day, must see the absurdity of it—I was going to use a stronger term. Personally I am opposed to these drastic measures, being introduced to meet the views of any special class of people. If we had not received an intimation that the Bill is to be referred to a special committee, I would go more fully into the question.

Hon. Mr. POWER—This is a measure of a very important character, and although the hon. gentleman who introduced it has expressed his willingness that it shall go to a special committee, and that the House shall not be deemed to have committed itself to the principle by giving it the second reading, still it is hardly seemly that the Senate should give the Bill its second reading without some public expression of opinion from the members of this House. That is the reason why I take the liberty to add something to the observations which have been already made. What does this Bill propose to do? It proposes where a contractor has undertaken to erect a building for the government of Canada, to interfere between that contractor and the men whom he employs to do the work, and to say that that contractor is subject to a severe penalty if he causes any of the men whom he employs, to work for more than eight hours a day. The hon. gentleman who introduced the Bill undertook to tell the House that this measure really made no change in the existing condition of things; and he told us that in Toronto the eight hour day prevails. That may be true. Not knowing the conditions in Toronto, I cannot undertake to contradict the hon. gentleman; but I know that in the city of Halifax the eight hour day does not prevail. I know that in the country towns of Nova Scotia, and in the rural districts, the usual length of a working day is ten hours. A very important question presents itself right at the opening of this discussion, and that is whether parliament has a right to legislate upon this matter.

My contention is that parliament has not the right to legislate. If a contractor makes an agreement with a workingman, no matter where the work is to be done, that contract, it seems to me, falls within the jurisdiction of the provincial legislature. To confirm that view, I may say that some two years ago a commission was appointed by the government of Nova Scotia to deal with this very question of the eight-hour day. Clearly, the government of Nova Scotia at any rate, were under the impression that this was not a matter for the Dominion parliament, but a matter for the local government and legislature; and I may say here that that commission, which was understood to be favourable to the principle of the eight-hour day, did not report in favour of it. The chairman of the commission was the Rev. Dr. McGill, of Dalhousie College, one of the brightest men in the lower provinces, whose sympathies were altogether with the workingman. The committee made very careful

inquiry, and the result was that Dr. Mc Gill, strongly as he sympathized with the labour element, felt himself obliged to unite with the other members of the commission in reporting against the adoption of the eight-hour day. The report substantially was, that the adoption of the eight-hour day would be injurious to the workingmen themselves, and certainly injurious to the business interests of the country. Hon. gentlemen may say this Bill proposes to deal with buildings which are to be erected for the Dominion. I do not think that this alters the position, because while the principal subject may belong under the British North America Act to this parliament, various interests may belong to a local jurisdiction. In order to show that that view has solid foundation, I wish to refer to a couple of decisions of the Judicial Committee of the Privy Council. The first case to which I shall refer is a very well known case, that of the Citizens' Insurance Company of Canada and Wm. Parsons, and the Queen Insurance Company and Wm. Parsons. That case was decided in 1881. The report begins on page 96 of volume 7 of Appeal Cases. I do not wish to read more than is desirable. My first extract begins at the lower part of page 108.

With regard to certain classes of subjects, therefore, generally described in section 91, legislative power may reside as to some matters falling within the general description of these subjects in the legislatures of the provinces. In these cases it is the duty of the courts, however difficult it may be, to ascertain in what degree, and to what extent, authority to deal with matters falling within these classes of subjects exists in each legislature, and to define in the particular case before them the limits of their respective powers.

To this point I call the attention of the House.

It could not have been the intention that a conflict should exist; and, in order to prevent such a result, the two sections must be read together, and the language of one interpreted, and, when necessary, modified by that of the other. In this way it may, in most cases, be found possible to arrive at a reasonable and practical construction of the language of the sections, so as to reconcile the respective powers they contain and give effect to all of them.

The case I am referring to is on all fours with the present case and was a case dealing with contracts for insurance. Speaking of the term 'civil rights,' at the bottom of the page, the decision says:

These contracts and the rights arising from them, it was argued, came legitimately within the class of subjects, property and civil rights. The appellants, on the other hand, contended that civil rights meant only such rights as flowed from the law, and gave as an instance the status of persons. Their lordships cannot think that the latter construction is the correct one. They find no sufficient reason in the language itself, nor in the other parts of the Act, for giving so narrow an interpretation to the words 'civil rights.' The words are sufficiently large to embrace, in their fair and ordinary meaning, rights arising from contract, and such rights are not included in express terms in any of the enumerated classes or subjects in section 91.

It becomes obvious, as soon as an attempt is made to construe the general terms in which the classes of subjects in sections 91 and 92 are described, that both sections and the other parts of the Act must be looked at to ascertain whether language of a general nature must not by necessary implication or reasonable intendment be modified and limited.

At page 113, near the top, it says:

Construing, therefore, the words 'regulation of trade and commerce' by the various aids to their interpretation above suggested, they would include political arrangements in regard to trade requiring the sanction of parliament, regulation of trade in matters of interprovincial concern, and it may be that they would include general regulation of trade affecting the whole Dominion. Their lordships abstain on the present occasion from any attempt to define the limits of the authority of the Dominion parliament in this direction. It is enough for the decision of the present case to say that, in their view, its authority to legislate for the regulation of trade and commerce does not comprehend the power to regulate by legislation the contracts of a particular business or trade, such as the business of fire insurance in a single province.

On pege 117, near the top, the decision says:

But it by no means follows, unless indeed the view of the learned judge is right as to the scope of the words 'the regulation of trade and commerce' that because the Dominion parliament has alone the right to create a corporation to carry on business throughout the Dominion, it alone has the right to regulate its contracts in each of the provinces. Suppose the Dominion parliament were to incorporate a company with power, among other things, to purchase and hold lands throughout Canada in mortmain, it could scarcely be contended if such a company were to carry on business in a province where a law against holding land in mortmain prevailed each province having exclusive legislative power over 'property and civil

rights in the province' that it could hold land in that province in contravention of the provincial legislation; and, if a company were incorporated for the sole purpose of purchasing and holding land in the Dominion, it might happen that it could do no business in any part of it, by reason of all the provinces having passed mortmain Acts, though the corporation would still exist and preserve its status as a corporate body.

I shall turn to another case, a very well-known case, the Fisheries case, which was decided in 1898. This report begins at page 700 of appeal cases for 1898. I shall trouble the House with an extract from page 716, near the top of the page, as follows:

But whilst in their lordships' opinion all restrictions or limitations by which public rights of fishing are sought to be limited or controlled can be the subject of Dominion legislation only, it does not follow that the legislation of provincial legislatures is incompetent merely because it may have relations to fisheries. For example, provisions prescribing the mode in which a private fishery is to be conveyed or otherwise disposed of and the rights of succession in respect of it, would be properly treated as falling under the heading, 'Property and civil rights,' within section 92, and not as in the class 'fisheries' within the meaning of section 91. So, too, the terms and conditions upon which the fisheries which are the property of the province may be granted, leased or otherwise disposed of, and the rights which consistently with any general regulations respecting fisheries enacted by the Dominion parliament may be conferred therein, appear proper subjects for provincial legislation, either under class 5 of section 92, 'the management and sale of public lands,' or under the class, 'property and civil rights.' Such legislation deals directly with property, its disposal and the rights to be enjoyed in respect of it, and was not in their lordships' opinion intended to be within the scope of the class 'fisheries,' as the word is used in section 91.

I shall not read from the last case, but I shall give the citation. It carries out the same principle. The case is the Canadian Pacific railway versus the corporation of the Parish of Notre Dame de Bonsecours, page 367, Appeal Cases, 1899.

I know that a legal argument of this kind is a little tedious, but the question is important, and I think we should have all the light we can on it. I think it is clear from the two cases that I have cited, that if this question were to come before the Judicial Committee of the Privy Council they would hold that these contracts between building contractors and workmen came within the jurisdiction of the province and not of the parliament of Canada. So far for the constitutional standpoint. That is my first objection to this Bill.

I think it is only right that we should consider what the probable effects of this measure will be. In the first place, it will reduce the amount of work done on public buildings in the course of a season. In a country like Canada, where at any rate in most places the work of building does not go on for more than about seven months in the year, that is a very serious matter. Promptitude in building, where a country is growing as rapidly in population and in business requirements as Canada is growing, is of great importance, and it is desirable that buildings should be erected with the least possible delay. Perhaps the hon. gentleman from Wellington (Mr. McMullen) went too far in saying that the men will be paid the same wages for the eight-hour day that they are now paid for the nine or ten-hour day. That may or may not be the case; but if they are paid as much for the eight-hour day as they are for the nine or ten-hour day, then it means that this country will pay for the public buildings which are erected after this Act has been assented to, if it ever is assented to, either one-ninth or one-fifth more, according as the day is, nine or ten hours, and when you deal with probably ten or eleven million dollars worth of work, that is a very serious consideration.

Hon. Mr. ELLIS—That is on the item of labour?

Hon. Mr. POWER—My hon. friend from St. John very properly says that that is on the item of labour; and the item of labour is the most important item in the cost of a building. Suppose that the rate of wages is not increased, and that the workmen are paid only the same amount per hour for a day of eight hours as they now are for a day of nine or ten hours, it will still increase the cost of the buildings, because the contractors will realize that the work must take considerably longer to complete it than under the present conditions, and that their plant will be tied up for a longer period; and it will mean—and this is an idea which perhaps has not presented itself to the trades unions—much less wages for

the workingmen themselves. There is no doubt that the great delay in the completion of works will be of much consequence; and, in addition to that you will either greatly increase the cost to the country or actually diminish the wages of the workingmen. It is not at all probable that any contractor who undertakes to erect a public building will propose to employ a man for ten hours, when he has to pay that man time and a half for the two hours additional. I have just given the proximate effects of the enactment of this measure. The more remote effects are that confusion will be involved in the building trade. I know that great confusion was caused in the city of Halifax a couple of years ago because the local government, very injudiciously, as I think they realized themselves afterwards, inserted in a contract a provision that the men employed should not work more than eight hours a day, and it upset the conditions in the building trade all over the city; and, naturally in the long run, this enactment would probably lead to the adoption of the eight hour day generally—at any rate in the building trade. It would mean this, that the supply of labour, which is already too small for a country growing as rapidly as Canada is, would be largely reduced. These are considerations that probably did not present themselves to the gentleman who introduced the Bill. Owing to the diminution of the supply of labour, the progress of the whole Dominion would be impeded, and the cost of building would be largely increased, for private building as well as to the government. When a measure whose effects are likely to be as far reaching as are those of this measure which is proposed, those who ask us to disturb the existing condition of things should give some substantial reason why the change is sought. I have not heard any reason whatever given in this House. I have read the greater part of the discussion which took place in the other Chamber, and did not find any substantial reason was given there. In fact, the gentlemen who advocated this measure in the Commons were apparently more concerned as to the votes of the members of labour unions than they were with the well-being of the workingmen, or with the general welfare of the country. If there is any public body in this country which can look at a question of this kind from the point of view of the country at large and not from that of any section of the population, it is the Senate. After all, the proportion of members of trades unions in the country is v ry small as compared with the total population; and we do not represent the labour unions. We are supposed to represent the interests of the country at large, and we should be prepared to deal with this measure as it affects the country at large, and not as it affects certain trades unions. I can understand that the government might claim that they had a right to introduce a measure of this kind, under the general right to pass laws for the peace, order, and good government of Canada. I do not think so, and I shall tell hon. gentlemen why. It might be right and proper for the government to undertake to limit the length of a day's work in an unhealthy trade. I can understand that the government might introduce a measure providing that printers, miners, tailors and other people employed in unhealthy indoor occupations should not work at these occupations for more than eight hours a day. A measure for that purpose might be defended on the ground that it was intended to hinder the physique of the people of this country from deteriorating. That is not the case here. The trades with which this measure deals are just those trades to which no such argument can apply. The trade of the mason and the bricklayer, and the carpenter, and the painter are trades that are healthful: really the work done under these trades is simply a healthful exercise. It is no laughing matter. How many hours would a carpenter need to work on a fine day in this country before his health would suffer, or how many hours would a mason or a bricklayer have to work before his health would suffer?

Hon. Mr. CASGRAIN—They are healthy occupations.

Hon. Mr. POWER—Yes, they are healthy occupations. It is a principle of legisla-

tion, that all classes should be treated in the same way. There is a legal maxim that equality is equitable. This measure is inequitable. It singles out certain trades where a change is least needed and undertakes to treat them differently from the other trades. It is therefore an inequitable enactment. This parliament has passed the Lemieux Act, which is an Act for the settlement of disputes between employers and workmen. It is recognized, I think, not only in Canada, but in other countries, as being the best existing law for the prevention of strikes and the settlement of labour disputes; and parliament, in passing that Act, did its duty both by the employer and employee, and, in my humble judgment, having done that, parliament has done all that it could reasonably be expected to do, and it is the duty of parliament now to simply rest and be thankful and to allow this conflict to be fought out between the parties. Why should parliament interfere in a quarrel between capital and labour? I do not see. Parliament provides a method of settling disputes between capital and labour, an admirable method of doing that, and why should parliament interpose directly on behalf of one of the parties? Whatever may have been the case in former times, to-day labour is perfectly able to take care of itself, and, indeed, the wishes of the trades unions, which are not always guided by supreme wisdom, are liable to secure support, in elective bodies at any rate, even from those who feel that the unions are in the wrong. This is not the first time that this question of shortening of day labour has been considered. The length of the working day has been much shortened in the past. If any hon. gentleman will take the trouble to read that report of the Nova Scotia Commission he will find that, at a not very remote period, the length of the working day was twelve hours, and that has been cut down in most places to nine hours, as a result of discussion and agreement between employers and employees. My view is that the unions can always, by judicious and persistent effort, succeed in getting any concession which is at all reasonable. I may add further, that in this report of the Nova Scotia Commission, it was stated that a very large proportion of the workingmen are not in favour of the legislature interfering and undertaking to fix the length of the day. I have felt that it was my duty, hon. gentlemen, to express the opinions which I have long entertained.

Hon. Mr. BEIQUE—I quite agree with almost every word that has been said by the hon. gentleman from Halifax (Hon. Mr. Power). It is quite plain that under the British North America Act, the question of contract is under the exclusive jurisdiction of the provinces, and there cannot be a clearer case of contract found than in this Bill. It does not require the quoting of any authority? It is governed by the clear text of the constitution. But apart from the absence of jurisdiction, I desire to call the attention of this honourable House to this further consideration. It is well known that it has been the practice on the part of the government in all contracts on public work, to insert what is called the Fair Wage Clause. This is for the purpose of compelling the contractor to pay not less than a minimum price to all men employed on the work.

Hon. Mr. DERBYSHIRE—In the locality where the building is going on.

Hon. Mr. BEIQUE—I beg the hon. gentleman's pardon; the clause determines the minimum wage which shall be paid to all employees. The attempt made by this Bill to compel the government to interfere with the liberty of contract in matters of this kind is, I think, unbecoming. If employees are entitled to a further protection on the part of the government, they should receive it by an amendment to those clauses to which I have referred. On the other hand, I am of opinion that unless parliament is disposed, or, rather, the several provinces of this Dominion are disposed, to limit the hours of working to eight hours per day, no preference should be given to employees on public works. They have already a preference, not only in the Fair Wage Clause, but also under chapter 98 of the Revised Statutes of Canada, which, in several respects, provides for their protection and gives them a preference over other employees. I will not take the time

to refer at any length to that chapter of the Revised Statutes.

Hon. Mr. LANDRY—What is the title?

Hon. Mr. BEIQUE—It is in connection with the companies that are subsidized. That question as to the hours of labour should be left to the provinces, and as to any preference which is to be given, or ought to be given to employees on public works it should be left with the government itself. When dealing with the contractors, it is the duty of the government to see that employees are protected to a reasonable extent, and it has been and is the practice of the government to protect the interests of the employees, but the government has not seen its way yet to go as far as now proposed, and it seems to me it would be interfering with the free action of the government in placing on the statute a Bill of this kind. It is not a government measure; it is introduced by a private member. The government may not have taken exception to the measure; at any rate if the government deems it advisable to do so, they have the means of inserting the Fair Wage Clause, imposing that obligation on the contractor. But parliament should not interfere in this way to compel the government to do what apparently the government is not disposed to do. I am always disposed to treat with a great deal of consideration any Bill that has passed the House of Commons, and, as a general rule, I think it is our duty to give it the fullest consideration and hear the parties who are interested, and refer the Bill to a special committee; but I fail to see in this instance the logic of doing that, because I am clearly of the opinion that this is a Bill which is not within the jurisdiction of this parliament, therefore, nothing could be stated in committee which would, in my estimation, be liable to promote the passing of this Bill.

Hon. Mr. CASGRAIN—I would like to move the adjournment of this debate until Tuesday next. I for one would like to say something on this subject, and I understand there are other members who wish to speak on it. We would hardly get through the discussion before six o'clock, and I understand we are not to sit this evening; so the Senate will allow the debate to be adjourned until Tuesday.

Hon. Mr. CLORAN—I have much pleasure in seconding that motion. I certainly would not want this House to adjourn now and have this discussion placed on the records of our country without a protest.

Hon. Mr. DANDURAND—As I may not be here on Tuesday, will the hon. gentleman allow me to say a few words on the question?

Hon. Mr. CLORAN—Will my hon. friend allow me to say a word or two in seconding the motion to adjourn the debate?

Hon. Mr. DANDURAND—I just wish to say a few words upon the constitutionality of the Bill before the motion to adjourn the debate is put. I fully agree with the hon. gentleman from Halifax and the hon. gentleman from De Salaberry on the general principle that any law that we would try to enact regulating the contract of hire, the question of wages, would be outside our jurisdiction; but if I agree with that general principle, I am not disposed to admit that it affects this Bill. I consider that the measure simply attempts to regulate the actions of the government of Canada as an employer of labour——

Hon. Mr. POWER—No, contractors.

Hon. Mr. DANDURAND—Contractors employed by the government of Canada.

Hon. Mr. CASGRAIN—Hear, hear.

Hon. Mr. DANDURAND—As I read the Bill:

> Every contract hereinafter made for the erection re-modelling, construction or repair of any public building to which the government of Canada is a party, which may involve the employment of labourers, workmen or mechanics, shall contain a stipulation that no labourer, workman or mechanic in the employ of the contractor, sub-contractor or other person doing or contracting to do the whole or any part of the work contemplated by the contract, shall be required, except in case of extraordinary emergency, to work upon or in connection with the work contracted for, more than forty-eight hours in any one week or, where employment is for a less time than one week, eight hours in any one calendar day. Additional hours, if worked,

shall be classified as overtime and paid for at a rate of not less than time and a quarter.

2. The provisions of this section shall, as respects the hours of labour, apply to work undertaken by the government by day labour.

So I take it for granted that this is an attempt by parliament to dictate to its executive committee, the government of Canada, the terms of contracts that the government may enter into for the erection of public buildings and so on. Believing that this is the true interpretation of this clause, I take it for granted that this parliament would simply be exercising the ordinary powers that any private individual would exercise if he wanted to. Any private citizen can build a house and include in the contract which he signs with the contractor a clause limiting the number of hours to a fixed number per day or per week. Although recognizing that a contract of hire is a civil contract, which comes under the jurisdiction of the provincial governments, I believe that the parliament of Canada has a right to say under what conditions it will organize its own Public Works Department, and what will be the conditions which may enter into its own contracts. This so far covers the constitutional question. The other one, the principle of limiting the number of hours upon our public works, is one to which I confess I have not given very much study and which is quite a broad and important question. I know that the government of Canada has already limited the number of hours in the Printing Bureau to eight hours. I know that the bricklayers' unions have fixed nine hours as their standard time for working throughout Canada, as well as the plumbers and sheet metal workers, that the carpenters vary between nine and ten hours. As a matter of fact, I think the stonecutters are the only ones who have limited the number of hours to eight. For my part I have no objection to hear the parties who have promoted this Bill, and who represent quite a large number of labourers, upon the importance of reducing the number of hours per day to eight upon public buildings.

Hon. Mr. DAVID—When a contract is given to a contractor or a subcontractor, who hires the men?

Hon. Mr. DANDURAND—The men are naturally hired by the contractor, or the subcontractor, as the case may be, but under conditions which the contractor has voluntarily agreed to, so that I do not see that there is anything which precludes a contracting party from declaring in the contract that the men who work on a certain building shall work only a certain number of hours per day.

Hon. Mr. DAVID—But the contract between the subcontractor and the contractor, is not that a private contract?

Hon. Mr. DANDURAND—It is a contract which the hon. gentleman may call a private contract, but which the contractor has no right to enter into if he has bound himself previously not to enter into that contract.

Hon. Mr. McMULLEN—Will the hon. gentleman kindly say whether a building contract let under the provisions of the eight-hour day, will not cost the country more money to construct than if labour was left under present conditions and let the contractor make his own terms? I should like to know if this Bill will not be the means of increasing the cost of public buildings for the purpose of putting more money in the labourer's pocket.

Hon. Mr. DANDURAND—If the labourer is paid so much per hour it will not increase the cost of the building; but if the clause which is generally put in the contracts for the public works of Canada, fixing the minimum wage to be paid per day to the labourer remains there, undoubtedly it will increase the cost of the work. I am not ready to say that I will vote for the eight-hour day which is specified by this Bill. There may be good and sufficient reasons for saying that eight hours instead of nine hours should be the working day, and I am disposed to vote in favour of sending this Bill to the committee in order to hear the parties, with an open mind. The member who promoted this Bill in the other House has said in the other House or elsewhere that he admitted this was the first step that he intended to take towards obtaining from this parliament or the legislatures the recognition of that prin-

ciple generally, for all works, public and private. This being a precedent to be created, it is of sufficient importance to warrant us in examining the question from all sides. This is undoubtedly an object lesson which the government of Canada is asked to give, and before binding the government to this new legislation, I think it is well that we should hear the representations that may be made pro and con.

Hon. Mr. CAMPBELL—When I presented this subject, I anticipated that there would be no objection to referring it to a committee. I simply moved the second reading after intimating my intention to refer it to a special committee. I am surprised that hon. gentlemen have gone into a discussion on the merits of the Bill. The hon. gentleman from Halifax and the hon. gentleman from Montreal have taken the grounds that parliament has not the right to pass this legislation. I put up against their opinion the judgment of the Minister of Justice and the judgment of the members of the House of Commons.

Hon. Mr. ELLIS—I think the hon. gentleman ought to confine himself to the question before the House. He has no right to criticise the members of the House.

Hon. Mr. CAMPBELL—I thought my remarks were pertinent.

Mr. SPEAKER—The question is the adjournment of the debate.

Hon. Mr. CAMPBELL—I have no objection to defer the consideration of the question to another day.

The motion was agreed to, and the debate was adjourned until Tuesday next.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

The Order of the Day being called:

Bill (No. 4) An Act to amend the Railway Act.—Hon. Mr. Casgrain.

Hon Mr. CASGRAIN—Understanding that the Senate would allow this Bill to be read a second time, I intend to move that it be referred to the Committee on Railways, Telegraphs and Harbours.

Hon. Mr. POWER—It is a question whether the hon. gentleman can move just as quickly as that. The other day a motion for a second reading was made which was negatived by the House, and it seems to me that before the hon. gentleman can get the question before the House again he must move to rescind the resolution which the House had previously arrived at.

Hon. Mr. CASGRAIN—I do not want to be debarred from my right to speak. I only want to answer the hon. gentleman from Halifax. He will find the procedure I have adopted is quite correct. I quote from Bourinot, page 648:

> If a resolution adverse to the Bill be resolved in the affirmative, or the motion, 'that the Bill be now read a second time,' be simply negatived on a division, the measure will disappear from the order book, but it may be revived at any subsequent time, as the House has only decided that it should not then be read a second time, and the order previously made for the second reading remains good. When a Bill disappears in this way from the order paper it is competent for a member to move at any time without notice.

I do not want to move without notice. I gave notice last week.

Hon. Mr. POWER—I withdraw my objection. I was wrong.

Hon. Mr. WILSON—I think it requires a little fuller explanation by the mover. This Bill was voted upon and defeated by a majority. The notice was quietly given, and I do not think many members in the House really understood that the measure was to come up again. The Bill was defeated on the second reading, and the hon. gentleman in moving to place it again upon the Order Paper should have given it as much publicity as was given on the second reading, because we are entitled to this information. Of course, he had a perfect right to give notice after the Bill was rejected, but my contention is that the notice should be a broad one and he should explain openly in the House his reasons for asking to have the Bill placed on the Order Paper for second reading.

Hon. Mr. CASGRAIN—I might say to the hon. gentleman from St. Thomas that with the unanimous consent of the Senate

yesterday this Bill was restored to the Order Paper, the idea being, without commiting the Senate to the principle of the Bill, to give parties a chance to be heard before the Railway Committee, to whom I propose to refer the Bill if my motion carries. I might also inform my hon. friend from St. Thomas that I have here petitions and many requests from parties who desire to be heard, and I believe the Senate would be doing the proper thing in allowing these parties to be heard. Certain parties who are opposed to the Bill also desire to be heard, and I ask the hon. gentleman to allow the second reading, with the understanding that he is not committing himself to the principle.

Hon. Mr. WILSON—I am willing to accept the explanation offered by the hon. senator, and take it for granted that he did not wish to do any unfairness towards this Senate, but I shall claim the right to make what remarks I desire to make either for or against the Bill.

Hon. Mr. McMULLEN—I really must insist that the understanding is that this Bill is to be referred to a special committee for the purpose of extending the courtesy to those who are advocating its passage of addressing that committee and offering arguments in favour of the Bill. It would be on that ground only that I would consent to let it go to a committee. If that is not the understanding, I shall feel it my duty to move that the Bill be not now read a second time, but that it be left over.

Rt. Hon. Sir RICHARD CARTWRIGHT —They will have that privilege before the Railway Committee.

Hon. Mr. McMULLEN—If it is intended to refer it to the Railway Committee without the House committing itself to the principle of the Bill, I consent.

Hon. Mr. CASGRAIN—Yes, that is all right.

The SPEAKER—I understood that was the understanding. The Bill was ordered to be read a second time.

Hon. Mr. WILSON—Mr. Speaker, while I do not wish to obstruct this Bill, still I wish to say——

Hon. Sir RICHARD SCOTT—It has been carried.

The SPEAKER—I am at a loss to understand the hon. gentleman's objection; the House has ordered the Bill to be read a second time, and in view of that it should be read a second time.

Hon. Mr. WILSON—I think I observed, when I was on my feet before, that I claimed the right to speak for or against——

Rt. Hon. Sir RICHARD CARTWRIGHT —The Bill has been ordered to be read a second time.

The SPEAKER—I am sorry, indeed, to have to interfere, but the hon. gentleman took his seat. After he took his seat I then put the question to the House, and the House ordered that the Bill should be read a second time. Any observation he desires to make afterwards can be made.

The Bill was read a second time.

Hon. Mr. WILSON—The matter I was referring to before——

The SPEAKER—I am sure if I appeal to my hon. friend he will understand. I have no desire to prevent him saying anything he likes; but there is not anything before the House to which an observation can be made.

Hon. Mr. CASGRAIN—I beg to move, seconded by Hon. Mr. Ellis, that this Bill be referred to the Standing Committee on Railways, Telegraphs and Harbours.

Hon. Mr. WILSON—I suppose I am within my rights at the present time. This Bill is a public Bill, and it is going where? It is going to the Committee on Railways; it is going to a Standing Committee which I am not a member of, and it will come back to the House, and I will be told, as I have been told before, that the Bill has gone to the Railway Committee; that they have approved of all the clauses of the Bill; that it is in the public interest that the Bill should carry, and, therefore, virtually, I have no right to have an opinion after the Railway Committee has declared in favour of it. That will be the case with this

Bill, and, no doubt, it is the object they have in view in sending it to the Railway Committee. The committee will report it, and I shall be told that I should have been present at the committee. I must either neglect attending some other committee or be in ignorance of what has been done in the Railway Committee. I am decidedly opposed to this Bill. I see no necessity for it, and no reason why it should receive the endorsation of the Senate. I have every confidence in the Railway Committee; but I claim the right to have an opinion of my own with respect to this measure, and to have an opportunity as a citizen and as a member of this House to express my opposition to the Bill. I well be held responsible for the vote I give. There is no demand for this change. I live in a railway city and can speak for a majority of the railway men of that city. I have heard the employees of the Canadian Pacific railway and other railways say there is no necessity for this Bill, and have not heard any argument in support of it which should convince the House that it is necessary. There are some, no doubt, who think it would be in the interest of the railway men, but it is not in their interest to refer the Bill to the Railway Committee. Feeling as I do, I take this opportunity to protest against this Bill and the manner in which I have been used in reference to it.

The motion was agreed to.

The Senate adjourned until 2.30 to-morrow.

THE SENATE.

FRIDAY, March 24, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

RESTIGOUCHE RIVER RIPARIAN OWNERSHIP BILL.

PETITION PRESENTED.

Hon. Mr. DOMVILLE presented a petition signed by Hugh Sutherland and 500 others protesting against the passage of Bill (A-1) An Act to incorporate the Restigouche Riparian Association.

He said: I desire to read this petition to the House.

The SPEAKER—It should be laid on the table before it is read.

Hon. Mr. DOMVILLE—I desire to get it on the record. I took advice, and was told I could read it. The petition reads as follows:

To the Honourable the Senate, in parliament assembled:

Whereas it has come to the knowledge of your petitioners that a Bill has been introduced into the Senate intituled 'An Act to incorporate the Restigouche Riparian Association': your petitioners respectfully beg to protest against the passage of the said Bill in its present shape, and to submit the following facts, and reasons why the proposed Act, in its present shape should not become law.

1. The unincorporated association mentioned in the preamble of the Bill, and who are now seeking incorporation, have from the time of its organization and commencement of operations in the Restigouche and Matapedia rivers and their branches, manifested a disposition to interfere with the local riparian owners along said rivers, who during very many years had fished for salmon in the waters with nets as an industry, and whose fishing stands were in many cases the principal means of a livelihood, and which association, by influence, have been able in a large measure to bring about the suppression of many such fishing stands ostensibly for the purpose of the preservation of the salmon fisheries, but with the real purpose of increasing the value of their pools for fly fishing thus sacrificing the welfare and the very living of the local riparians to the pleasure fishing of these wealthy applicants for still greater powers.

2. The phraseology of the said Bill implies a disregard of law by the people of the locality affected, or to be affected by the Bill should it become law, and that it has become necessary that the proposed corporation should be given power to aid the authorities in this suppression of the lawlessness existing in that locality as regards fish and game laws. Your petitioners protest against any such imputation and most emphatically declare that such imputation is unwarranted.

3. The proposed Act also implies the inability of the proper authorities to enforce the law as regards fish and game. Your petitioners submit that the Dominion and provincial governments are quite competent to enforce the law and we desire to urge as forcibly as possible that if any aid is required or desired by such governments in that regard, the power should not be delegated to the proposed corporation, whose interests are so much at variance with those of the said local riparians.

4. Your petitioners would direct your attention to the preamble of the proposed Act, and to the fact there disclosed, that the men petitioning for the passage of the Bill are all

non-residents of the locality affected, a considerable number of them being alien residents of New York. We submit that it is self-evident that the purpose and intent of the proposed incorporators is to subserve their own interests, such purpose and intent being also expressly declared in the section headed 'Objects' in the schedule to the Bill.

5. Your petitioners believe that the working out of the proposed legislation in its present shape will result in the local riparians being still more brought under the power of these fishermen, and in the further curtailment of their fishing rights and privileges in the said waters. Your petitioners have no objection to the applicants becoming incorporated and exercising their rights as an incorporated body but they do most emphatically object to the proposed co-partnership, so to speak, between them and the Dominion and provincial governments.

6. Your petitioners do not ask for local riparians that they do exempt from reasonable regulations the guarding the fishing of said waters, made and ordained by rightful authority, but they protest against any corporation or set of men being placed in a position by legislation so that it or they may in a measure formulate, or even suggest to the department in charge of such matters, the policy to be acted upon in that behalf, and your petitioners contend that the proposed legislation, if passed, will naturally have the effect of giving to the views and purposes of the proposed corporation a greater weight and influence with and upon the department than would be the case in the absence of such legislation, and your petitioners urge upon the consideration of parliament that in view of the fact that the interests of the applicants for such legislation are in conflict with these of the said local riparians, such legislation as is now asked for should not pass in its present shape.

Your petitioners, being electors in the county of Bonaventure, in the province of Quebec, humbly pray that the said Bill as now constructed may not now become law.

And as in duty bound will ever pray.

March, 1911.

The petition was laid on the table.

DISTRIBUTION OF MAILS IN MONTCALMVILLE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Are the mails distributed gratuitously in Montcalmville?

2. Is there in Montcalmville, as in the city of Quebec, a post office, where, on Sundays, at certain hours, the public is admitted to get the letters and papers which are not distributed on Sundays?

3. Is the Postmaster General aware that the citizens of Montcalmville are obliged to await the distribution of Monday morning and often of Monday afternoon to have their letters or papers which reached Quebec the preceding Saturday, after three or four o'clock in the afternoon?

4. Can he remedy this inconvenience from which the citizens of Montcalmville suffer only since they are favoured with the free distribution of their postal matter?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are: to No. 1 and No. 2, there is no post office known as Montcalmville, but it is presumed that the 'Candiac' post office is the office referred to.

Hon. Mr. LANDRY—I am not asking if there is a post office called Montcalmville. I am asking if in Montcalmville there is this distribution. I am referring to the locality.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am giving the answer as the post office authorities have framed it. The answers to the remaining questions are:

The post office at Candiac is not a regular post office, but is what is known as a sub-office, being under the control of the Quebec post office. A large part of the district in which the office is situate is also served by letter carrier, but a limited quantity of mail matter is delivered from Candiac sub-office to persons living outside of the territory in which a free delivery service exists. It has never been the practice of the department to have such sub-offices kept open on Sundays, and there appears to be no sufficient reason of a public nature why exceptional treatment should be extended to the office at Candiac.

3 and 4. Under present arrangements, correspondence reaching Candiac is delivered at 8.30 a.m. and 3.30 p.m. and any correspondence reaching the office after 3.30 p.m. is delivered by the first delivery of the following week day.

As regards free delivery by letter carrier, this was granted to the people of Candiac as a special concession, made in view of the urgency of their application, and with a full knowledge on the part of the applicants of what would follow, viz.: the reduction of the office at that point to a sub-post office. The department is at the present time, however, making inquiries as to a possible means of overcoming this difficulty.

Hon. Mr. LANDRY—I do not desire to discuss the question, but I wish to point

out that there is no such thing as the people of Candiac. There are people in Montcalmville. Perhaps the post office is Candiac, but all the other people are in Montcalmville. Previously we had the post office open on Sunday.

Rt. Hon. Sir RICHARD CARTWRIGHT —Perhaps if the hon. gentleman will read the answer he will say whether it should be worded differently.

Hon. Mr. LANDRY—I shall read it and will come again.

NEW SIGHTS FOR ROSS RIFLE.

INQUIRY.

Hon. Mr. LANDRY inquired:

When was Captain Swift's new sight for Ross rifles accepted by the special committee who made a comparative study of it; since that selection or previous to it, have any inventors offered improved sights for use in connection with the Ross rifle, other than those named by the Militia Department on Friday, March 17, in reply to a question made in the Senate on that day. If so, on what date and by whom?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is: The question of rifle sights has been under consideration for a long time. In September last, the Small Arms Sub-Committee submitted a report recommending the adoption of the Swift sight, which has since been approved. Since then there has been no other sight considered which the sub-committee have recommended for approval in substitution of the Swift sight.

BILL INTRODUCED.

Bill (Y-1) An Act to incorporate the Quebec and Great North Western Railway Company.—Hon. Mr. Belcourt.

THIRD READINGS.

Bill (No. 76) An Act respecting the Ontario, Hudson's Bay and Western Railways Company.—Hon. Mr. Young.

Bill (No. 69) An Act respecting the Canadian Northern Ontario Railway Company. —Hon. Mr. Jones.

Bill (U) An Act to incorporate Revillon Freres.—Hon. Mr. Béique.

SECOND READINGS.

Bill (No. 93) An Act to incorporate the Alberta Electric Railway Company.—Hon. Mr. Talbot.

Bill (No. 108) An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Watson.

ACCOUNTS AND VOUCHERS OF THE SENATE.

CONSIDERATION OF MESSAGE POSTPONED.

The order of the day being called:

Consideration of the message from the House of Commons requesting that the accounts and vouchers of the Senate for the fiscal year ending March, 1910, be transmitted to that House.—Rt. Hon. Sir Richard Cartwright.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the order of the day be discharged and that it be placed on the Order Paper for April 6.

Hon. Sir MACKENZIE BOWELL—This question has been standing on our Order Paper for some weeks and it is about time we put an end to it. I would like to call the attention of the right hon. leader of the House to the supplementary estimates which have been laid before parliament for expenditure for the fiscal year ending March 31, in which I see an item under the heading of 'Legislation, Senate, Printing, Printing Paper, Binding, further amount required, $80,000.' I have made some inquiries to find out what that $80,000 can be for, and I have not been able to ascertain that any application has been made by the Senate for that amount of money. Perhaps the extravagance of the other House may be of such a character that they desire this extra $80,000, and wish to charge it to the Senate. Next year they will ask us how we have disposed of it. It would be well for the leader of the House to make inquiry as to that item in the supplementary estimates. Why is it put under the head of 'Senate Expenditure.' We should know, particularly as the Public Accounts Committee of the House of Commons have taken the responsibility upon themselves of demanding our vouchers to ascertain how we disposed of

$10,000 during the past year. It strikes me that we should resent the manner in which the government is treating the Senate in matters of this kind, as it reflects on our dignity. Unless the legitimate requirements of the Senate are complied with by the Finance Department or by the government, our best way would be to do as we did last January when we disapproved of an appropriation that was being made, that is, to defeat the estimate when it is laid before us. I do not refer to the whole estimate, but to the estimate pertaining to the management and expenditure of the Senate. I do not wish to be understood as suggesting the rejection of the whole of the estimates; but when a sum of this kind is placed in the estimates, which I have every reason to believe was never asked for, the Senate is entitled to an explanation.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am inclined to think there must be some error. I have not examined the matter; possibly the Speaker may be aware of the reason why this item is placed in the estimates. I think it is a mistake.

The SPEAKER—I have heard nothing about it.

Hon. Mr. DANDURAND—I understand this item is there for general printing purposes, and covers the services of both Houses of parliament and not the Senate exclusively.

Hon. Sir MACKENZIE BOWELL—Then it certainly should not have been put under the head of the Senate exclusively; because it leaves the impression upon the public mind that the printing and stationery of the Senate have involved the expenditure of $80,000, which is not correct.

Rt. Hon. Sir RICHARD CARTWRIGHT—I will call attention to the matter at once.

Hon. Sir MACKENZIE BOWELL—If that will do any good.

Rt. Hon. Sir RICHARD CARTWRIGHT—It can easily be amended, and a new message brought down.

The motion was agreed to.

THIRD READING.

Bill (Z-1) An Act for the relief of Walter Harvey Kirkland.—Hon. Mr. Young.

The Senate adjourned until 3 p.m., on Tuesday next.

THE SENATE.

TUESDAY, March 28, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE HAMILTON DIVORCE BILL.

REPORT PRESENTED.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their report on the petition of Andrew Lorne Hamilton, praying for a divorce from his wife Maude Louise Hamilton, together with the evidence relating thereto, and moved that the said report be taken into consideration on Wednesday of next week.

Hon. Mr. CLORAN—Does the report of the evidence accompany the report of the committee?

Hon. Mr. KIRCHHOFFER—The report in connection with any case of divorce is always accompanied by the evidence.

Hon. Mr. CLORAN—Is it at the disposal of members of this House at the present moment?

Hon. Mr. KIRCHHOFFER—I do not know; but there will be plenty of time to consider it before the report comes up in the House.

Hon. Mr. CLORAN—I do not see that a date can be fixed for the consideration of this report before the evidence is in the hands of the senators, and I object to the motion fixing the consideration for Wednesday of next week.

Hon. Mr. KIRCHHOFFER—Then I shall alter the date and say Tuesday of next week.

Hon. Mr. WILSON—I object to the finding of the committee, and ask that the motion be declared carried on a division, so that I may not be supposed to endorse the finding of the committee.

Hon. Mr. CLORAN—I am not in the same position as the hon. member from St. Thomas, (Hon. Mr. Wilson) who is a member of the Divorce Committee, and that is why I want to have the report of the evidence in my hands before the Chairman of the committee fixes a date for its discussion. I cannot tell whether I shall have the evidence in my hands before then or not, and I object to the adoption of the report until the evidence is placed in our hands. The chairman should not move concurrence in the report until the evidence is before the House.

Hon. Mr. DANDURAND—The chairman of the committee has simply followed the usual practice. He has fixed the date for the middle of next week. The evidence will be printed or distributed before then, or it will not be. If the hon. gentleman has not that evidence before him for 48 hours say, before the date fixed for the discussion of the report, he may obtain further delay.

Hon. Mr. CLORAN—Or I may not. It is my right to have the evidence without asking for the indulgence of the House. We should have the evidence in our hands concurrently with the presentation of the report.

Hon. Mr. COFFEY—It may be in my hands to prevent friction in regard to the printing of these reports. The hon. gentleman from Victoria simply wants something which is impossible. He asks that the printed report of the evidence be submitted at the same time as the report of the Divorce Committee. There are only two ways of accomplishing that—either delay the presentation of the report until the printing is done at the Bureau—

Hon. Mr. CLORAN—Hear, hear; that is the way it should be.

Hon. Mr. COFFEY—I intend to ask the Bureau to use all possible dispatch in printing the report of the evidence. I have no doubt the Bureau will give us the printed report of the evidence at least 48 hours before the report of the committee comes up for discussion.

Hon. Mr. CLORAN—I contend that the evidence should be in our hands when the report is presented. Every member is entitled to that. I do not want to have to rely on the Printing Bureau to see that the report is here in time.

Hon. Mr. POWER—The hon. gentleman from Victoria misapprehends his rights. He has a right, as every member of the Senate has, to have this evidence before him in reasonable time before the petition comes up for consideration; but if the hon. gentleman exercises the faculty of reasoning on the subject he will see that it is quite impossible that the evidence should be printed before the report is presented. The committee has no right to order printing to be done before the report is concurred in by the House, and they submit the evidence with it. We all must get the printed evidence a reasonable time before the report comes up for consideration, and that is all any hon. member has a right to claim.

Hon. Mr. CLORAN—That has not been my experience.

Hon. Mr. POWER—The hon. gentleman may have been unfortunate in his experience; but on two or three occasions when he complained that he had not had sufficient time to consider the printed evidence, the consideration of the report was postponed.

Hon. Mr. CLORAN—As a favour.

Hon. Mr. POWER—Not as a favour, as a matter of right. If any hon. gentleman objects that the evidence has not been distributed within a reasonable time before the consideration of the petition, the House, as a matter of course, is bound to see that the report is not considered until there has been time to read the evidence.

The motion was agreed to, on a division.

BILL INTRODUCED.

Bill (A-2) An Act respecting the Joliette and Lake Manuan Colonization Company. —Hon. Mr. Talbot.

THE CARRIER-LAINE PROPERTY AT QUEBEC.

INQUIRIES.

Hon. Mr. LANDRY inquired:

1. Is it in a letter, dated 10th April, 1909, that Mr. Vien, agent of the government in re Carrier-Lainé & Co., affirms that he induced the bank of Montreal to enter into an agreement with the McKenzie estate and Mr. Lorne C. Webster, tending to remove the interests that the McKenzie estate and Mr. Lorne C. Webster might have had with reference to lots Nos. 429 and 431, which lots had been included in the judicial seizure of the property of the firm of Carrier-Lainé & Co.?
2. What is the nature of the agreement thus entered into between the Bank of Montreal and the McKenzie estate and Mr. Lorne C. Webster, at Mr. Vien's suggestion?
3. Who signed this agreement?
4. What is the amount thus paid by the Bank of Montreal and to whom?

Rt. Hon. Sir RICHARD CARTWRIGHT —The Department of Justice advise me that it has no information except that which appears in the papers brought down. These papers are a complete copy of the whole file of the Department of Justice in the matter.

Hon. Mr. LANDRY inquired:

1. Has the Department of Justice taken any steps to obtain from Mr. Vien, advocate, of Lévis, copy of all correspondence between Mr. Vien and the department which he represented or any other department or person, with reference to the Carrier-Lainé property?
2. What steps have been taken by the Department of Justice to obtain the same from Mr. Vien?
3. When were these steps taken?
4. If nothing has been done, is it because the Department of Justice intends to ignore the orders issued by the Senate?
5. What is the name of the official who takes upon himself to treat with such contempt an authority far superior to himself, and who has failed, since the 22nd April last, to fulfil the duties of his position, and to act in conformity with the order received by him?

Rt. Hon. Sir RICHARD CARTWRIGHT —The Department of Justice has already made a return which contains a complete copy of all correspondence on its files in connection with this matter. It has no control over Mr. Vien or his correspondence nor any means of compelling him to furnish copies of his correspondence with any other department or person.

THE NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the entire line of the Transcontinental, between Quebec and Winnipeg, completed as regards the construction of the embankments and the laying of rails?
2. What are the sections on which rails are not yet laid, and those on which the embankments are not completed?
3. Are there any sections on which these last works are not commenced and what are they?
4. Who are the contractors on these sections?
5. What works have been executed on these sections?
6. What are the works remaining to be done?

Rt. Hon. Sir RICHARD CARTWRIGHT —The following are the answers supplied by the Commission:

1. No.

2. District 'B' c-b, mile 683·83 to mile 763·83; district 'C,' mile 763·83 to mile 933·83; district 'D,' mile 1,139·12 to mile 1,172·85; district 'E,' mile 1,172·85 to mile 1,428·04; district 'F,' mile 1,428·04 to mile 1,497·04; district 'F,' mile 1,497·04 to mile 1,507·04, grading completed but track not laid.

3 and 4. District 'B,' c-b, mile 735·83 to mile 763·83, MacDonnell & O'Brien, contractors; district 'C,' mile 763·83 to mile 878·83, MacDonnell & O'Brien, contractors; district 'E,' mile 1,172·85 to mile 1,332·85, M. P. & J. T. Davis, contractors.

5. None.

6. All works.

Note.—All mileage is west of Moncton. There is a short portion of line between the Canadian Northern railway connection at St. Boniface and the Red river bridge, and from the north end of Quebec bridge to the city of Quebec, that is not completed.

THE PUBLIC PRINTING.

INQUIRY.

Hon. Mr. LANDRY inquired:

What is preventing or delaying the regular distribution to the French members of this House of numbers 6, 13, 14, 15, 17, 18 and 19 of Volume XLIII. of the sessional papers, of numbers 9, 15, 18 and 19 of Volume XLII. of the same papers, and of number 7 of Volume XLI. of the sessional papers of the Canadian parliament?

Rt. Hon. Sir RICHARD CARTWRIGHT —The reply is: Vol. XLIII., 1909—

No. 6—Waiting for copy of index.

No. 13—Being bound, ready March 28, 1911.

No. 14—Ready for binding. Last O.K. September 29, 1910.

No. 15—Ready for binding—Last O.K. November 3, 1910.

No. 17—Being printed; more copy to come.

Nos. 18 and 19—There are no such numbers for that year.

Vol. XLII, 1908—

No. 9—Ready for binding. Last O.K. December 23, 1910.

No. 15—Copy not in for analytical index. Civil Service Commissioners.

Nos. 18 and 19—Printed outside Bureau and awaiting instructions.

Vol. XLI., 1907—

No. 7—Being printed, copy not all in.

THE SPUR LINE BETWEEN QUEBEC AND THE BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Where can we find, in the Auditor General's Report mention of the sum or part of the sum of $17,026.25, which the construction of the spur line, connecting the Quebec bridge to the city of Quebec, has cost?
2. In what year was the construction commenced?
3. In what years was it continued?
4. When was it suspended?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department furnishes the following reply:

1. At pages W—235 and W—321, vol. 2, for the year ending March 31, 1910.

2, 3 and 4. The first payment was for the October, 1909, estimate, and the last payment for the February, 1910, estimate.

A QESTION OF PRIVILEGE.

Hon. Mr. THOMPSON—Before the orders of the day are called, I should like to rise to a question of privilege. I understand by the rules and practice of this House that we cannot refer to matters dealt with in the other branch of parliament; but a reference having been made to the Senate which reflects on the Contingent Accounts Committee of this House, of which I have the honour to be chairman, in respect to matters on internal economy, I think I should be permitted to say a few words, even though I should be penalized for an infraction of the rule. I desire to call attention to some remarks reported in the Commons 'Hansard' at page 6292. In the Committee of Supply, the question of the contingent expenditure of the other branch was under consideration, and a discussion took place on the subject of the distribution of stationery and trunks to members. The question was asked if the same thing had been done in the case of the Senate—that is if the same policy of economy had been practised in the Senate. To this the Speaker replied that the Senate being an independent Chamber, the Commons had no control over them. The report is as follows:

> Mr. DANIEL. Has the same thing been done in the case of the senators? I understand they are supplied with a certain amount of money, and that they provide these things for themselves. Has the same policy of economy been extended to the senators?
>
> Mr. SPEAKER. The Senate being an independent chamber, they distribute their funds as they think best. They continue the practice in the Senate. I understand it is taken out of the vote for contingencies. We have no control over them.
>
> Mr. DANIEL. I see no reason why the same rule should not be extended to the Senate as to the House of Commons. The money is voted by this House, and it should be made clear that in future there will be no money for that purpose.

Another member, the gentleman from Halton, made the following remark:

> We have to vote the money, the Senate cannot get five cents unless we give it to them, and if the item of Senate contingencies has not passed, I will be glad to move to strike it out.

It is to the knowledge of this House, and I presume it was to the knowledge of the other branch of parliament, that the Senate originated the very economy which they charge we have not practised. Last year the Contingent Accounts Committee of this House, or the members appointed for the purpose of making the selection, did away with the trunk of stationery, &c., and it was understood that the same course would be followed in the other branch of parliament. Later on, it came to our knowledge that the other House had not lived up to that decision. Whether it has done so or not yet I cannot say, but I know that

neither this year nor last year have the senators been supplied with these little 'trunks of knic-knacks.' This year an ordinary jack-knife such as every civil servant in Canada gets, is all that the senators have had. It is only fair that the truth should be brought to the notice of the other branch, so that the unjust statements which have been made there may be expunged from the official report. I may add that we can afford to challenge a comparison of the expenditures by the two branches of parliament; the Senate would not sufler by such comparison.

Hon. Mr. POIRIER—My hon. friend is expecting too much from certain members of the other House, if he thinks that they will treat us with the respect and consideration that one gentleman expects from another. Heretofore we have been assailed by certain members of the other House in a manner that certainly does not reflect favourably upon them. Some of them, for reasons that may be good or not good, desire to abolish this Senate; some desire to amend us, and that is quite proper. The language that is used by some members of the other House would not be tolerated in the Senate if used towards them or towards any of us individually. It is true that we should not expect from them, or some of them, a very high standard of discretion. They do not seem to treat one another with much more consideration. They make it a matter, not of daily occurrence, but of frequent occurrence, to threaten to take off their coats and go outdoors and fight, or distribute such epithets as 'liar' and other words such as are not customary with us. We might make them understand that there should be a correlation between gentlemen, and that their methods do not exactly suit our habits here or our mode of living.

Hon. Mr. CLORAN—While this——

Rt. Hon. Sir RICHARD CARTWRIGHT—If my hon. friend would permit me, I was about to suggest that as the matter has been brought to the Speaker's attention, he might very properly communicate with the Speaker of the other chamber the error into which he has been led, quite unintentionally, I have no doubt, and without intent to offend the Senate. Touching the gentlemen who have profaned the dignity of the Senate, I think, on the whole, we should treat them with dignified silence.

Hon. Mr. CLORAN—While this question is before the House——

The SPEAKER—There is no question before the House.

Hon. Mr. CLORAN—Then we have been talking in vain, and I am sorry for the Speaker.

OPIUM AND DRUGS BILL.

THIRD READING.

The order of the day having been called for the third reading of (Bill No. 97) An Act to prohibit the improper use of Opium and other Drugs, as amended,

Rt. Hon. Sir RICHARD CARTWRIGHT—I gave notice that when the third reading of this Bill was to come up, I would move that the following words be added to the schedule: 'or any salts or compound thereof,' after the word 'cocaine,' and after the word 'morphine,' and to add to the schedule: 'Eucaine or any salts or compounds thereof.' I move that it be amended by adding those words

Hon. Mr. McMILLAN—Cocaine is an extract from the cocoa leaf, and the salts that are made from that are medicinal preparations. I think the words 'and the salts derived from that or prepared from that,' should be added.

Hon. Sir RICHARD SCOTT—Usually called derivatives.

Hon. Mr. McMILLAN—Yes, we have derivatives from opium. They are the essential medicinal quality in opium; but salts of cocaine or salts of morphia are simply preparations of these. Morphia is the essential preparation of opium, and the salts of that are the acetate of morphia and the sulphate of morphia, and muriate of morphia. Those are the principal salts. What is necessary is to say, 'the salts of morphia and the extract of opium.' As far as eucaine is concerned, that is a similar preparation to cocaine, and has precisely the same medi-

cinal qualifications, or therapeutic application, so that I do not think it is necessary to use the word 'eucaine' at all, because cocaine covers the whole list of preparations from the cocoa leaf.

Rt. Hon. Sir RICHARD CARTWRIGHT—I move that these words be added to the schedule.

Hon. Mr. McMILLAN—I certainly think it would be an improvement to add after the word opium 'any extract from opium,' because laudanum, paregoric, black drop, tincture of opium and morphine are extracts.

Hon. Sir RICHARD SCOTT—Lots of poison in them.

Rt. Hon. Sir RICHARD CARTWRIGHT—I brought the whole matter before the department, and, in view of the definition that is given in the second section, they seemed to consider it as undesirable to make the addition. Of course it is a question on which I have no opinion of my own. I must accept the opinion of the various experts. I cannot set up any argument as an authority on it.

Hon. Sir RICHARD SCOTT—The amendment is certainly in the right direction.

Hon. Mr. WILSON—This Bill may have been amended satisfactorily to my hon. friend from Glengarry and the hon. leader of the House; but I doubt whether very many members really understand what the amendment introduced by the hon. senator is really intended to mean. The Bill is a very harsh one, and should be carefully considered, because it may result in hardship to the public. I endeavoured the other day to ascertain why the measure was introduced at the present time, if there was just cause for it, and if the use of opium was causing injury. We should be placed in possession of the facts, to judge whether the Bill was reasonable or whether it was intended to prevent the use of opium in the various dens of the country, which we all admit is doing a great injury. It is questionable whether the effect of the Bill will not be to produce more hardship and do more wrong than the use of these opiates. In some parts of the country, the Chinese use the drug for smoking. I do not know whether any other class indulge in the habit or not. That was not explained. If there are Chinese in British Columbia they will be using opium; but we know that opiates are also used by physicians for purposes other than smoking, and if we are going to restrain the use of opium we should strike at the source. I believe that the physicians are, to a great extent, responsible for much of the drug habit which prevails in the country. A physician is called to prescribe for some person who is suffering more or less pain. He cannot always tell at first what is the matter with the patient, and he gives him a drug to soothe the pain for the time being and waits till the next day before he becomes fully aware of what really is the matter with the patient. One dose of opium may lead some people to the habit of using the opiate. Persons who are uncomfortable or unhappy may resort to the drug to make them sleep. If this habit exists it should be stamped out; but I do not think this Bill will remedy the evil but will be rather injurious in many ways. Who is to make the complaint that a certain person is using drugs? Opium is not the only drug that is injurious. The continued use of bromide of potash produces almost as serious a result as the opium habit. It destroys a person's physique, and if we are going to protect the public from any of the drug habits, we should adopt a method which would entirely stamp out the evil. The third clause provides that every person who imports, manufactures, sells, offers for sale, has in his possession, or takes or carries, or causes to be taken or carried, any of these drugs, is guilty of an offence, and so on. If I were not a physician, and some one met me on the street and asked me to carry some powder or morphine to some place, and I put it in my pocket, and it should be found in my possession, I would be responsible, if it were not being used for medicinal or scientific purposes, and I would be heavily fined. If an old lady takes a little paregoric, or a dover powder, she is liable to a $500 fine. Are we legislating in the interest of the public, so that they shall be happier and enjoy life better than they are now doing, or are we adopting

legislation that will cause suffering in the country? I do not think that the amendment proposed by the hon. gentleman from Glengarry (Hon. Mr. McMillan) will afford the necessary protection, although it may satisfy the right hon. leader of the House. I have not heard either of them say whether the amendment was satisfactory or not; but I know they were consulting one another, and perhaps they thought it was a very doubtful case, and they would not let the Senate know what they were talking about. That may be all right, but we want to know how the Bill in its present shape would affect the public. If the object is to abolish the opium dens, let them commence with the physician first, because, I believe that medical men are to as great an extent as any other class responsible for the habit prevailing more or less in the country. A doctor is called to see a patient, and the first thing the patient says is: 'Doctor, give me something to stop this pain.' A physician has no desire to see a patient suffering, and he resorts to a dover powder, morphine, hypodermic syringe or something to relieve the patient. The patient feels benefited by it, and ten chances to one he will try to keep in the house some preparation of a similar kind to use in an emergency and obviate the necessity of calling in a physician. One hon. senator states that it is necessary to use these drugs in the treatment of animals. Are you going to compel farmers to keep these drugs out of their houses? When an animal gets sick, what course will the owner pursue? Will he get the veterinary to give him a certificate and go to a drug store? Is there any necessity for such a stringent measure? If they can show serious injury from the common use of the drug, then perhaps it would be necessary to pass this measure. Under the circumstances, I cannot support the third reading.

The amendment was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the third reading of the Bill.

Hon. Mr. McMILLAN moved in amendment that the said Bill be not now read a third time but that it be further amended by adding the following as subsection 3 of section 4:

3. Any person who takes internally any extracts, derivatives or preparations of opium, shall be liable on a summary conviction to a fine not exceeding fifty dollars and costs, or to imprisonment for a term not exceeding one month, or to both fine and imprisonment.

He said: That is exactly the same penalty that is attached to the infraction of the law with regard to opium smoking in the section. The reason I make this motion is because section 4 applies only to opium. Subsection 2 of section 4 refers to the place of resort where the opium is smoked, and opium being found there without reasonable excuse; but there is a class of the community who are opium fiends. They use morphine, laudanum and many extracts of opium which are equally as bad, and upon which they are sure to fall back if the stringent laws we are enacting here with regard to cocaine and i s extracts are carried out. Therefore, I think it is necessary, in order to make this law useful, to add that subsection with regard to the preparations that will be used by the opium eaters, as they are called, or opium fiends, or those who are in the habit of using it in that way.

The SPEAKER—This proposed amendment does not even excuse it being taken under prescription, or by doctor's advice.

Hon. Mr. McMILLAN—There is another section following.

The SPEAKER—I was simply calling attention to the fact that this section might apply, even though the drug was taken under prescription from a doctor.

Hon. Mr. POWER—I have not any very strong feeling with respect to the proposed amendment. The hon. gentleman from Glengarry will notice that clause 4 of the Bill is intended to put an end to the smoking of opium, and to resorting to opium joints where opium is smoked. The amendment which he proposes is not altogether germane to the clause. The hon. gentleman from St. John (Mr. Ellis) called attention to this fact the other day when we were in committee on the Bill. I myself doubt the wisdom of tacking that amendment on to clause 4. If the hon. gentleman will look at clause 3, it says: 'Every person, who without lawful reason or excuse

has in his possession: any drug other than for scientific or medicinal purposes. I think that will cover the case to which he refers, and clause 5 prevents the sale of the drug without a physician's prescription. I do not think this amendment is absolutely necessary. I am quite clear it is not as germane as it should be to the clause.

Hon. Mr. WILSON—May I ask the hon. gentleman who moved this amendment, if when there is a doctor's certificate, the purchaser will not get whatever he requires at the drug store? He may get a large quantity and a portion of that only will be used. What will he do with the balance? If it is tincture of opium, or paregoric, or morphine, or cocaine, he keeps it in the house. It was gotten for a specific purpose under a doctor's prescription.

Hon. Mr. DANDURAND—I do not think the hon. gentleman needs that clause at all. The clause which has just been cited by the hon. gentleman from Halifax (Hon. Mr. Power) penalizes the one who has the drug in his possession illegally. It is the subsequent step that the hon. gentleman desires to reach, and to prevent the use of it once it is in the possession of the party I am quite clear that it would be much easier to establish the possession of the drug than to establish the eating of it.

Hon. Mr. WILSON—The drug may have been obtained for medicinal purposes, but it is found in the house, and anybody else might use it.

Hon. Mr. McMILLAN—It is quite clear that my amendment only covers the taking of the opium internally. I quite agree with the hon. gentleman from Halifax when he says clause 3 may cover that. It looks to me in that way since my attention has been drawn to it. If clause 3 covers the amendment that I have offered to section 4, it certainly fortifies the amendment that I am offering to section 5.

The SPEAKER—Do you withdraw the amendment?

Hon. Mr. McMILLAN—I will certainly not divide the House on it; I will withdraw it. I hope the reading to the amendment of the other clause is explicit enough,

Hon. Mr. POWER.

Nothing herein contained shall affect a physician or veterinary surgeon who may grant a certificate to any druggist to sell or supply any such drugs to a person to be kept for medicinal use as a home remedy where a supply is necessary in case of sickness and emergency, or where the owner of horses, cattle and other domestic animals, is of necessity obliged to keep on hand a supply of such drugs for medicinal application and use. Provided such certificate is filed with the druggist and a duplicate thereof is furnished to the purchaser, and such certificate shall be valid as against any prosecution under this Act.

The object of that is, section 5 provides that no druggist shall give, sell, or furnish any drug, except upon prescription from a practical physician, veterinary surgeon or dentist. That prevents the selling of any drug except upon such an occurrence as this. Then again, subsection 2 prevents a physician from giving any prescription or order for the filling of which any drug is required unless such drug is required for a patient under his care at the time. That prevents clearly the druggist from supplying men who may go back to shanties in the woods, or people who may require to have a supply of medicines for an emergency at home, unless a subsection like this is added. These were the reasons why I gave that notice. I will not press it. I am endeavouring, as far as I can, in my humble way, to make the Bill as workable as possible, and particularly for those who are obliged to keep a supply of medicines such as are mentioned here, on hand.

Rt. Hon. Sir RICHARD CARTWRIGHT—Although I had hesitation in opposing my individual opinion to the hon. gentleman's, I consulted with the Department of Labour, who introduced this Bill as to that amendment, and they were of opinion in the first place that all reasonable cases in which drugs were kept would be sufficiently protected by the words 'Persons who were lawfully or reasonably excused,' from being liable to the penalties. They thought that would protect where there was necessity for using these drugs for human or animal subjects; but they also thought, and that was a more serious question, that if the clause were introduced it would open the door so wide that the Bill would be useless I am therefore under the necessity of opposing the amendment of my hon. friend

Hon. Mr. WILSON—If, for instance, a man comes to me and wants me to give him an order for a pound or a quarter of a pound of opium, explaining to me that the object of procuring it is to treat cattle or something of that kind, I give him the order. He goes to the drug store, gets the opium and takes it home, and uses a drachm of it, and he has the balance on his hands. If that opium is found in his house afterwards, and he cannot explain why it was kept there, what happens? That is what I was trying to have my hon. friend let me know what he was going to do with the residue, whether it would have to be destroyed or sent back to the drug store, because if he kept it in the house and it was found there, some evil-minded person wishing to annoy him might have him prosecuted. He could not plead the fact that he originally got it for a legitimate purpose; the question would be, is there any reason why that opium was in the house? It was not needed; they could not say that it was required there. Would that person be liable to prosecution and fine and imprisonment? I see no escape out of it. He certainly would be held to have kept opium in his house without just cause.

The amendment was declared lost on a division.

The Bill was then read the third time and passed.

THIRD READING.

Bill (L-1) An Act to change the name of the Manitoulin and North Shore Railway Company.—Hon. Mr. Ross.

SECOND READING.

Bill (X-1) An Act for the relief of Mary Jane Beatty.—Hon. Mr. Mitchell.

PACIFIC AND PEACE RIVER RAILWAY COMPANY BILL.

AMENDMENTS CONCURRED IN.

The order of the day being called

Consideration of the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to (Bill 91), 'An Act to incorporate the Pacific and Peace River Railway Company.'—Hon. Mr. Béique.

Hon. Mr. POWER, in the absence of the Hon. Mr. Béique, moved that the amendments be concurred in. He said: The first amendment is to change the route of the railway. It was found that a difficulty occurred on account of a very steep grade, and this very slight change has been made in the description in order to get rid of that difficulty. There was no difference of opinion in the committee. The other amendments, though long, are really amendments which go as a matter of course. One is to insert the usual clauses where railways go through passes in the mountains, to provide that if there is any difficulty in finding room for two railways, this company shall be obliged to grant running powers to any other railway. The only other amendment is to substitute the standard clause with respect to securities issued on the properties and assets of the company other than the railway. The clause as it came up to us was not the standard clause, and this is simply to substitute the standard clause for that in the Bill.

Motion was agreed to.

HOURS OF LABOUR ON PUBLIC WORKS BILL.

DEBATE CONTINUED.

The order of the day being called:

Resuming the adjourned Debate on the motion for the second reading (Bill 3), 'An Act respecting the Hours of Labour on Public Works.'—

Hon. Mr. CASGRAIN said: I listened at the last sitting of this House to a very interesting speech delivered by the hon. member from Halifax (Hon. Mr. Power), and the hon. gentleman, at some length, tried to prove that this Bill (No. 3) entitled An Act respecting the Hours of Labour on Public Works, was not within the jurisdiction of parliament, and he proceeded to quote many authorities, such as cases before the Privy Council, the Citizens' Insurance Company of Canada, and the Queens Insurance Company against William Parsons. I shall not refer to these extracts at present, but I will come immediately to the conclusion arrived at by the hon. gentleman, and these are his words, 'my contention is that parliament

has not the right to legislate in this matter.' I may say that the opinion of the hon. gentleman was immediately approved by the hon. gentleman from De Salaberry, (Hon. Mr. Béique), and the hon. member from De Lorimier (Hon. Mr. Dandurand) rose and contradicted them almost absolutely, politely of course, as lawyers always do. The hon. member from De Lorimier claimed that we had a perfect right to legislate in this manner, and to pass this Bill. It is a question for laymen to decide for themselves; the lawyers do not agree. However, the hon. member from Halifax has said that we have not the right to legislate to regulate matters of contract, but he said it might be right and proper for the government to undertake to fix the length of a day's work in an unhealthy trade. To my mind that appears to be somewhat a contradiction of the first contention that we have no right to legislate in this matter.

Hon. Mr. POWER—Will my hon. friend permit me to interrupt him. The Canada Temperance Act, generally known as the Scott Act, was held to be valid by the Judicial Committee of the Privy Council, just on that ground, that it was intended for the benefit of the whole country; the peace, order and good government of Canada and that intemperance was dealt with, substantially as ill-health would be.

Hon. Mr. CASRGAIN—I do not think that is quite germane to this Bill; however, it is a matter of opinion, and lawyers may differ on that. The hon. gentleman said that having read the discussions that had taken place in another place, he did not find a substantial reason given for the passing of the Bill there. I have also read the discussions in the other House, and I find that the opinion of several very prominent members of that House was that parliament had the right. and the very point which was brought up by the hon. member from Halifax was dealt with extensively, and after reading the discussion I came to the conclusion that parliament had the right to legislate in this matter. However, I take it that the hon. member from DeLorimier had the best opinion in dealing with this matter. If you strip this Bill of its legal verbage it means simply that: 'Every government contract for the erection of buildings, shall contain a clause stipulating that no labourer shall work more than 48 hours a week, or eight hours a day.' Hon. gentlemen will see that that is a matter of contract as between the government and the contractor. Sub-section 2 of clause 3 says: 'The provisions of this section shall, as respects the hours of labour, apply to work on government work, undertaken by the government by day labour. That is, the government in employing people shall not ask them to work more than eight hours a day. There is a penalty of $200 for non-compliance with the Bill, or six months, or both. If this Bill had been read carefully and considered in view of the cases cited in the Privy Council, a good many members of this House would have come to the conclusion that parliament has the right to pass this legislation. Of course we all know that the provincial legislature has the right to legislate as to the number of hours any class of the community may work, in any of the provinces. This Bill applies simply to the works on which the government is the contracting party and surely, in making a contract with any one, the government has the same power as I have. If I make a contract with any one to build a house for me, I can put a clause in the contract that the men employed on that work shall work eight hours a day. Surely the government should have as much power as any individual in this country. Unless one is opposed to the measure and brings forward arguments to defeat it, I do not think this constitutional question should be raised as against its passage. Another remark of the hon. gentleman from Halifax was that the occupation of house building was a healthy exercise. I call it more than exercise, carrying a hod filled either with bricks or mortar from seven in the morning till six at night, with one hour's intermission for dinner. I would certainly call that a little more than taking exercise. I would call it very hard work if we have to go into a building of several stories, we hesitate to do so if there is no elevator, especially if we have to go up five or six

flights, even when we have no load to carry except our own weight. These labourers are obliged to carry heavy burdens to a considerable height during ten consecutive hours in many cases. I find on reading the debate in the other House that the Minister of Labour was entirely favourable to the measure, and he said during the discussion that he would have introduced it as a government measure only he did not desire to detract from the glory pertaining to the member from Maisonneuve, as labour representative in the House of Commons, and he thought it was only fair to let him enjoy whatever credit there was in introducing this measure.

Hon. Mr. POWER—There is a question of order involved here. It is forbidden to refer to the debates in the other House of parliament during the current session. I never insist very rigorously on that, but the hon. gentleman is rather abusing what one would call a privilege of referring to these debates. He has undertaken to point out what the minister thinks and what he said. The hon. gentleman will see that it is not proper to cite in this House what a minister said on the subject in the other House.

Hon. Mr. CASGRAIN—I am very sorry indeed that I have transgressed the rule, and I shall try to avoid doing so again; but I was given a bad example. My hon. friend, whose speech I am trying to answer the best way I can, stated that he had read very carefully the discussion in the other House, and as the hon. member is an old parliamentarian, I thought I was safe in following him, and probably I followed him too closely.

Hon. Mr. POWER—I did not refer to what they said. I referred to what they did not say.

Hon. Mr. CASGRAIN—Then we will depart altogether from opinions expressed in the other House and proceed on broader lines. It was never intended by Providence that men should toil continually; it was intended rather that there should be some leisure even to the labouring man, and that a man should have at least a few hours each day to spend with his wife and children. I have myself worked ten consecutive hours in a day, and have found the time very long. You have to add to that the time it takes to reach work in the morning, and the time consumed in returning home. It is a strange thing that men who enter this Chamber and breathe this atmosphere, seem to forget that few of us were born with silver spoons in our mouths. On the Canadian Pacific railway survey, I had to commence work at daylight very often, in the fall, and finish about dark, and reach camp after dark. I have also been connected with the lumber business. My hon. friend from Russell (Hon. Mr. Edwards) has also been engaged in the lumber business for a long time, and I venture to say he has sometimes worked ten hours a day. Mill time used to be eleven hours, and if we can in any way decrease the number of hours these people work, especially if they are working by the hour, no one is put to any extra cost except themselves. If workingmen can have a little leisure time, they will have an opportunity of reading, improving their minds, and developing their intelligence, and I believe I am only pleading the cause of humanity in assuming that the government of this country should be a model employer and should, in giving contracts, require that eight hours shall be a day's work. Very few of us now work more than eight hours a day, not even at the hard work that I have described just now. If any leisure moments were left to the working man, they could develop those other faculties which they have been endowed with by Divine Providence. When a man goes to work at seven he must rise about five o'clock. He may have to assist in preparing the breakfast—nay before that he may have to chop the wood and light the fire—and in the dark winter, rising at five o'clock, he leaves for his work at a quarter or half-past six, because he must be at his work some time before seven o'clock, and at the appointed hour if he does not punch a certain machine he loses his day. In large cities there may be obstructions in the street car service, and a man may be delayed on his way to work,

and if he is not at his post at the appointed hour the door is closed and the day's work is lost, and he possibly may find that his job is lost also. He toils all day from seven until noon. At noon he is very seldom able to return to his home. He must take his dinner, a cold dinner, out of the ordinary workingman's dinner pail. Thank God, since the Liberal party came into power he has had a full dinner pail.

Hon. Mr. LOUGHEED—May I ask the hon. member who is this gentleman who is suffering all these disabilities?

Hon. Mr. CASGRAIN—I am not surprised that the hon. gentleman does not know anything about the full dinner pail. When the Conservative party was in power the workingman had no full dinner pail.

Hon. Mr. LOUGHEED—I am asking who is the gentleman who is suffering all these wrongs?

Hon. Mr. CASGRAIN—The labouring man. I am not surprised that my hon. friend does not know anything about the labouring man.

Hon. Mr. LANDRY—He does not live in Montreal.

Hon. Mr. CASGRAIN—The labourer works until six o'clock. It takes him from half to three-quarters of an hour in most cases to reach his home, and it is seven o'clock when he sits down to tea. If you allow him eight hours of sleep he must retire by nine o'clock. He has no hours of daylight in the winter months with his wife and children; he sees them in God's light on Sunday only. Now I believe everybody should work, but I also believe that work, especially for a government, shall be made as easy as possible. I do not believe the conditions should be the same here as in the neighbouring republic. Take, for instance, Gary, which I visited the other day, a magnificent city which has been erected within twenty-five miles of Chicago, where four years ago there were nothing but sand dunes and marshes. To-day there is a city ready to receive a population of 200,000, but the working people there have to put in ten hours a day for the day shift and fourteen hours for the night shift. One shift works two weeks during the day, and then two weeks during the night, and that is for 365 days of the year, Sundays included. Those large industries cannot stop even for Sunday. Last year, because of a scarcity of orders, these mills were closed on Christmas day, and the people were seen walking about the streets absolutely lost. These men working day in and day out never think of entering a church. They do not live long at that kind of work. I do not believe in such drudgery. They should have, as we have in this country, the Sunday for rest, and if the eight-hour day should be adopted, they might have some time for study. The government of Canada is endeavouring in every way to foster true citizenship, and how can that be better accomplished than by educating the people. How can they get any education whatever after having worked so many hours every day? When a man comes home exhausted by the day's labour you cannot expect him to study anything. He may try to read a newspaper, but he falls asleep over it. In this young country, one of the richest countries in the world, where work should be the easiest, we have a population who are becoming merely human machines. It is all very well to say, 'look at the farmer.' The farmer does not work ten hours in the field. He may be ten hours outside of his home, but he is not working daily all that time. If parliament adopts this measure the government will become a model employer, and will be doing good throughout the country by setting a proper example. This principle has been acknowledged in British Columbia for years, and British Columbia is going ahead. When I was in British Columbia last summer, I saw men working there under the eight hour system, and I really believed that during that time they accomplished as much work as workmen usually do who work ten hours. They could keep up the effort for eight hours at a rate which they could not possibly attempt in a ten hour day. The principle of the eight hour day is a live issue in England, Germany and Australia. If it is to be adopted in Canada, we should accept the principle here. We have been told that in Toronto a great many of the build-

ing trades have already adopted the eight hour day. This Bill has been before the House of Commons for four or five years. An inquiry took place lasting 19 days last session, and a mass of evidence was collected. That evidence went to establish that the eight hour system was preferable to ten hours per day, and a Bill based on the information elicited by that committee was introduced in the House. This is not such a drastic measure as some suppose, neither is it very costly. Evidently, if the men are working by the hour, the cost of a day's work is no greater. Then again, even if they are working by the day, the two hours are not absolutely lost. I have often seen men who were working on a survey assigned a certain amount of work which was considered a fair day's work, and told, 'when you get through this job you will be through for the day.' These men worked with a will, and accomplished as much in a few hours as they would have accomplished in ten hours under ordinary conditions. Therefore, the time would not all be lost, because it is evident that a man cannot keep up the same strain for ten hours as he can when working for eight hours only. Then there are trades, for instance, like that in which the hon. gentleman from Rideau (Hon. Mr. Edwards) is engaged—the lumber business. In a sawmill a man has to work at a certain rate. He cannot stop, because he is driven by the machinery. He is working in front of a certain machine and must keep it free, and of necessity must work hard. These men work hard for long hours it is true. but their work is confined to the summer season. They often have a good deal of spare time, perhaps more spare time than they wish for, when the mills are not running. If you were to watch men working at a shingle mill you would be surprised to see how fast they work, but they have to keep it up only a part of the year. All the improvement in the conditions of the working classes has come through legislation. It is strange that it very seldom comes directly from the employers of labour. It comes by legislation, and this is the thin end of the wedge. If this principle should be adopted by parliament for government works, it might be found that it is not so bad after all, and it might be adopted in many industries. Some manufacturers have voluntarily adopted the eight hour day and would not return to the ten hour day. They claim that they get better work, that the work is more satisfactorily done and that there is more contentment among their employees. The name of one manufacturer, who has adopted the eight hour day, I believe, is McCormick. He manufactures biscuits. There is one point to which I ask permission of the hon. member from Halifax (Hon. Mr. Power) to allude, and it is this, because it is a reflection on this House. It was said in this House that this Bill was being put through by the Minister of Labour, and the representative of labour, Mr. Verville, and it was rushed through the House of Commons, but with a string on it, and that string was to be pulled when the Bill reached the Senate, and the Bill would be slaughtered here. I should like to know who has any string on the Senate, and who is going to pull that string? I take it that is very improper language to use, and it should be resented by this House. I am prepared today in this, the highest legislative Chamber of the country, to champion the eight hour day movement.

I think I am only paying a debt of gratitude towards many thousands of working men in the city of Montreal who have stood by me when every newspaper in the city, the Montreal 'Star', the 'Herald', the 'Witness', the 'Gazette', 'La Presse', 'La Patrie' and especially 'Le Devoir' were assailing me in the most violent way, subsidized I have no doubt, we will never know to what extent, in money; but I am proud to say, the poor people would not believe these stories, and I would be glad, if by anything I could do for them, I could return in any way the debt of gratitude I owe them. These men have seen me working with them in the last 20 years in the streets of Montreal, and I am not ashamed to own it. I have worked with my men surveying lots, and trying to give proper measurement to each and these 16,500 workingmen, knowing me to be a working man like themselves, stood by me. There is no doubt the farmer works hard

early and late, during seeding and harvest, but we must all admit that very few farmers work 70 hours in one week. I venture the assertion that the farmer does not spend 70 hours working in any one week in his fields. Very often weather conditions do not permit him, and, besides that, during the winter season the farmer has not so much to do as he has during harvesting and seeding. He can recuperate during the winter months and be ready for the heavy work of the summer; but the labouring man has to work from the 1st of January to the 31st of December each year to keep his wife and family from starvation.

Hon. Mr. McMULLIN—My hon. friend should state facts when he undertakes to address the House. He says the labourers have to work from the 1st January to the 31st December. He knows that bricklayers cannot lay bricks in January. They work when the weather permits them.

Hon. Mr. CASGRAIN—I know it is preferable to do the bricklaying or the masonry work in warm weather, but I have seen laying bricks all winter in the city of Montreal. The Canadian Pacific station is now being erected, and already one story is out of the ground and that has been in course of construction through the winter. The atmosphere of this Chamber has a strange effect on some hon. members of this House. I believe that if there is one country that is rich enough to adopt a principle of the kind involved in this Bill it is Canada. People are flocking here from all parts of the world in order to make an easier living, while in some other countries such as England and Germany the eight hour movement is alive. I believe here, where we have all the resources of bountiful nature, that on government works we should be satisfied with eight hours as a day's work. I would be in favour of letting the Bill go to committee to consider the question. I am in favour of the principle of the Bill.

Hon. Mr. COFFEY—I listened with close attention, indeed, I may say with pleasure, to the argument of the hon. member from Halifax (Hon. Mr. Power) on Thursday last, when the eight-hour Bill was under discussion, and when he brought his remarks to a close I felt he had made out a good case against the provisions of the proposed legislation.

The hon. member almost convinced me that the passage of the Eight-Hour Bill would avail but little, as similar legislation had met its Waterloo at the hands of the Noble Lords who compose the King's Privy Council.

The hon. member from Halifax was followed by the hon. member from De Lorimier (Hon. Mr. Dandurand), another gentleman who gives but little resting time to statutory volumes. The argument of the hon. member from De Lorimier presented new ground for thought, and my conception of the invincibility of the hon. member from Halifax was somewhat disturbed. His legal armour had been pierced in many places. Thereupon I resolved to keep an open mind after hearing one able pleader until such time as I had an opportunity of grasping the situation as presented by another able pleader. I have, therefore, decided to strike out for myself and take a layman's risk. I do not recognize anything in the proposed Bill which might be construed to fall foul of elementary justice. No one will question the right to legislate against child labour. It was quite just and of necessity to place the protecting arm of the law about children of tender years who were wont to be lured from their homes to work in the factories of the money-mad people who thought by day and dreamt by night only of schemes to enlarge the bulk of their deposit slips, guided seldom if ever by thought of the general welfare of their fellows. Believe me I do not wish to make rash statements. I speak of a class.

Far be it from me to put in this category those noble men who stand at the head of our great enterprises. I speak of the few financial desperadoes who, by their insatiable greed, by this worship of the gold bag, by their sneer at the toiler as but a cog in the wheel that grinds them wealth—by their smile of derision when the word justice is spoken, bring dishonour upon the class to which they belong, and foment disquietude amongst the toilers.

There are men within this chamber, men within the reach of my voice, captains of industry, if I may call them such—who

have never experienced the strife and the anger of the workingmen.

Were all employers of labour of the same mould as the hon. member from Rideau (Hon. Mr. Edwards), the hon. member for Toronto (Hon. Mr. Jones), the hon. member for Toronto, Hon. Mr. Jaffray) the hon. member for Leeds & Grenville, (Hon. Mr. Frost) whose presence in his seat to-day was to all of us, I am sure, a matter of sincere gratification—were all employers of labour such as these gentlemen there would prevail amongst the industrial class that feeling of contentment which would disarm the professional agitator whose sense of justice is dulled, if not obliterated, by study of the catechism of socialism, which is as beautiful in theory as it is hideous and deadly in practice, and which, in the long run, would bring us to that barbarism and chaos for which the anarchist—the maker and thrower of bombs—is working.

Whilst we conserve, as we should conserve, the lives of those who will be the fathers and the mothers of the future—should we not do something also to conserve the lives of the fathers and the mothers of this our day? Many strong men, aye, and many women too, have been prematurely broken, have crept into old age in middle life because the burden placed upon them was too great—have gone down the valley before their time because of the strain placed upon their life blood, bone and sinew and muscle, and all to satisfy the greed of those who sacrifice mercy on the altar of the golden god.

I speak not without experience. I know it is the long hour system that wrenches the heart and quenches hope, for without strength and health hope fades away. In other days, the ten and even the twelve hour struggle at commercial activity did not call for as much wear and tear of manhood and womanhood as the eight hour grind of our times.

The fever of competition is greater with us than it was with our fathers. They were termed slow. We move along at a more rapid stride. Their demand upon labour was moderate. Our demand upon labour is, in too many cases, furious, and thought for the physical welfare of our workers is in too many cases entirely ignored. The provisions of this Bill, be it remembered, but asks us to crystallize into law what already exists to a very great extent in practice. While it may be claimed that in certain lines of activity the ten-hour day is none too severe, not at all unreasonable, in the great majority of trades it calls for too great a strain upon physical energy, the capital stock of manhood. In a discussion of this nature we are too often reminded of the excesses of the labour unions. I will not deny that occasions have arisen when a blot was attached to certain labour organizations because of causeless strike and scenes of violence. I hold no brief for those who organize a strike when such a course was unjustifiable. I hold no brief for the workers who will ignore the Lemieux Act, and enter upon a serious disturbance of existing conditions without just cause. I hold no brief for the stone thrower who sets law and order at defiance. I hold no brief for the man who will not give heed to reason, and who is ready to enter upon a maddened conflict with his employer to attain that to which he is not justly entitled. I hold no brief for the man who has not even a bowing acquaintance with the golden rule, and whose motto is to get all he can, if not by fair means then by foul means.

But these are only incidents in unionism, and the time will come, I hope, and there are signs that it is coming now, when strikes and lockouts and bitterness and conflict will be matters of history—when the employer and employed will understand each other better—when each will give heed to simple justice, when putting into the scale the pros and cons of the argument.

To hasten that day, let us put this Bill upon the statute-book. It will open a new era for those to whom Canada owes not a little—those who have toiled and forged and spent themselves in putting stone upon stone to rear this great nation in which we all take such a glory. Many elements have contrived to erect this great edifice—the manufacturer, the financier, the professional man and the tiller of the soil; but in the last analysis it will be found that the members of the labour unions have done their full share.

Hon. Mr. ELLIS moved the adjournment of the debate until to-morrow.

The motion was agreed to.

BILLS INTRODUCED.

Bill (No. 94) An Act respecting the Western Central Railway Company.—Hon. Mr. Campbell.

Bill (No. 15) An Act to amend the Canadian Medical Act.—Hon. Mr. Belcourt.

Bill (No. 123) An Act to incorporate the Banque International du Canada.—Hon. Mr. Casgrain.

The Senate adjourned till to-morrow afternoon at three o'clock.

THE SENATE.

WEDNESDAY, March 29, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

BILLS INTRODUCED.

Bill (B-2) An Act for the relief of Robert William Logan.—Hon. Mr. Derbyshire.

Bill (C-2) An Act respecting a patent of the Boiler Flues Cleaner and Supply Company.—Hon. Mr. Campbell.

THE SENATE DEBATES.

MOTION.

Hon. Mr. DANDURAND moved:

That, in the opinion of the Senate, the reporting and printing of the debates of this Chamber at full length is a costly and useless expenditure;

That the Standing Committe on Debates and Reporting be instructed to arrange during the present session, for the taking and printing of the debates of this House in a concise form and to report thereon.

He said: When I placed this notice of motion on the Order Paper, I was prompted to do so as the result of a discussion which took place in this Chamber on the gradual increased cost of the reporting, printing and translating of our debates in this House. I was struck by the fact that we had in the last ten years considerably increased the cost of the reporting, translating and publishing of our reports in the two languages, and I came to the conclusion that something should be done to reduce that cost considerably. I would have then been disposed, perhaps, to suggest a more radical method of reducing the cost than I am to-day. I think that if this motion were adopted and our Debates Committee grappled with the question, that regulations could be made by which our reports would be reduced by perhaps one-third. It would mean that the printing would be reduced by one-third, the translating by one-third, and the printing of the French version in the same proportion. I am convinced that this Chamber would gladly endorse an order that the discussions on Divorce Bills, for instance, should be eliminated from our reports.

Hon. Sir RICHARD SCOTT—Hear, hear.

Hon. Mr. DANDURAND—We do not print the evidence in the Senate Debates. The discussion has no special importance once we have reached a conclusion, and those lengthy discussions which sometimes take place on certain Bills of divorce could be well eliminated from our printed report. I have also been of the opinion that the discussions which take place in the Committee of the Whole should be considerably curtailed. I have looked over the reports of the House of Lords, and I find that the debates are reported in full, in the House; but when questions are submitted to the Committee of the Whole there is merely a synopsis of the remarks of members, just sufficient to explain the reason for an amendment, and giving practically the essence of the argument made by the parties moving or opposing the amendment. I am convinced that if we worked on the same lines, we would have considerable of a saving, and that we would thus dispose of those occasional complaints as to the French edition of the report being late, because if our translators had so much less to do, I am convinced our present staff would be ample, even for the last two or three weeks of the session, when the work is heavier. Of course, this has nothing to do with the important question of limiting our debates or saving time to members of this House.

We are obliged so often to mark time while waiting for the other Chamber to get through its work, that my motion has not for its principal object the saving of time. But, as I am on that subject, and as we are obliged to mark time while work is being expedited in the other Chamber, I think it is perhaps proper that I should give my opinion as to what should be done to expedite the business of parliament, which concerns us as well as it does the other Chamber. I have not yet been reconciled to the idea of the closure being adopted in our Commons, but it seems to me that, with more than 200 members in the lower house and the expectation of an increase, something should be done to limit the time devoted to certain discussions, especially when public interest has been more than served by the discussion that has gone on up to a certain point. As a matter of fact, we are expediting the affairs of the country, exclusively from a public point of view. When the public interest has been thoroughly satisfied, and when a question has been sifted, and laid bare before the people and before parliament, it seems to me that at that moment we should take means to limit the discussion in the House of Commons. I have wondered, if before resorting to the closure, as they have it in the House of Commons in England, some scheme such as the following could not be adopted—I mention it because there has been a question of both Houses of parliament joining in a committee to suggest some means to better expedite public business in the two branches of parliament. For the disposal of important questions could not a rule be made by which the six first speakers would be given an unlimited time to fully exhaust the question, and the six speakers following them be restricted to an hour each, after which every speaker would be limited to one-half hour? Under such conditions a debate could not go much beyond two weeks. I know that in the American Congress it is gradually limited by a sliding scale to five-minute speeches, and at a certain point the closure is adopted. But, without resorting to the closure, is it not time that the parliament of Canada should see to placing a limit to speeches that are delivered in parliament for outside consumption? In a long, important debate, many members want to go on record, and instead of addressing themselves to the question before the House they address themselves to their constituents. They will not limit themselves to arguments that are new, they want to make a set speech covering the whole question, for distribution to their electors. That is a great evil which should be cured, and the suggestion I now make would tend to remedy it. We are as interested in limiting the length of the session as is the other branch of parliament, and I am convinced that if some scheme were adopted by which a certain number of speeches were allowed to be freely made and those which followed were limited to a decent length, there would be a decided improvement. It seems to me that the law of decency itself should bring home to members the fact that after a certain number of speeches have been delivered on a subject, a speech longer than an hour is unwarranted, and that after a dozen speeches have been made on any question the member who wants to throw some new light on it might well be limited to half an hour. This could well be discussed in a joint committee, and it seems to me that a resolution should be adopted by this House, asking the other branch of parliament to join in such a work to discuss the better expedition of the business of parliament. I may be answered by some members of the House of Commons that if such regulations were made half an hour would be insufficient for a member who would like to set fully his views before his electors. This objection could be met by allowing the member to give to parliament a summary of his speech and to send his manuscript to 'Hansard' to be printed for the benefit of his constituents. These are ideas which passed through my mind when I was examining the question as to what might be done in the way of limiting the reports of our debates. It seems to me we should, at all events, adopt the motion which I have moved to investigate the question of limiting our debates by eliminating discussions on divorce and reducing the reporting of our discussions in committee.

Hon. Mr. THOMPSON—Who would have the determining of what should be taken from one speech and what should be left in another? Who would be the censor of the debates?

Hon. Mr. DANDURAND—If it were declared that discussions on Divorce Bills should be eliminated, that would settle one point. We might go a step further, and decide that we would have only a summary of speeches in Committee of the Whole, and then it would be left to our reporters themselves who were doing that very work when reporting full debates of the Senate in 1875. The first year or two, they gave but a summary of the debates in the Senate, and they could now adopt for the committee work the same system which prevailed in 1874, 1875 and 1876.

Hon. Mr. POWER—Perhaps the wording of the resolution might be modified slightly. I do not think that the reporting of our debates is a useless expenditure, though it is probably too great an expenditure.

Hon. Mr. DANDURAND—At full length.

Hon. Mr. POWER—That is not altogether useless. We may not be getting all we want for the money, but I should not call that a useless expenditure. I assume that the hon. mover proposes to have this resolution sent to the Committee on Reporting for their guidance and information. If that is the case, I shall be quite ready to vote to put an end to the reporting altogether. However, that does not appear to be the sentiment of the House. With respect to certain proposals the hon. gentleman made to curtail the reports, as to the divorce Bills I quite concur with him. I do not think there is any desirable object gained by the publication of the discussions on Divorce Bills. The hon. gentleman, who, I think, at one time was described as the Minister of Adjournments has not said anything on the subject of discussions with respect to adjournments. I think discussions on such motions might also be limited, and that would shorten the reports as much as the omission of discussion on divorce rather more. It would be decidedly to the credit of the Senate if these discussions on adjournments were not given to the public. Then, as to reporting discussions in Committee of the Whole, I cannot see eye to eye with the hon. gentleman from De Lorimier (Hon. Mr. Dandurand), for this reason: our principal business—that is, our principal substantial business—is dealing with Bills and revising the work of the other House on Bills, and I think it is a good deal of consequence that the discussions on the detail of Bills should be given at reasonable length. It would not be desirable that the reports in Committee of the Whole should be left to the discretion of the reporter. Such discussions are really about as useful as any portion of our official report. The hon. gentleman said something about the manner in which work was being expedited in the House of Commons.

Hon. Mr. DANDURAND—That was a misnomer.

Hon. Mr. POWER—If the hon. gentleman had said the way in which work was being delayed in the House of Commons, he would have been nearer to it. As for limiting the length of speeches, that would be a step in the right direction. It is fully ten years now since I urged that line of action, and it was felt at that time that if we were to do anything, it was better to introduce the closure, and perhaps that view was a correct one. I really do not think that it is a matter for a joint committee—the hon. gentleman will pardon me if I express that opinion—because I do not believe we have any right, and it is not our business to decide as to what the length of speeches in the House of Commons should be. I do not remember that a session of parliament has even been prolonged by the action of the Senate. Our skirts are clear, and I think it is the duty of the House of Commons to look after their own end of the business; therefore I do not see that there is any object to be gained by the appointment of a joint committee. As to the last suggestion made by the hon. gentleman, that after a member had spoken for a certain time he could hand the manuscript of the remainder of his speech to the reporter, I should be very sorry to see that system introduced.

An hon. MEMBER—They are doing that now.

Hon. Mr. POWER—Sometimes a speaker in this House will go so far as to say: 'I have a table here which I do not wish to worry the House by reading,' and he is allowed to have it printed without reading it. We have never had the practice of handing in a speech to the reporters which had not been delivered. That practice would lead, as it has led in Washington, to the publication of long essays which had never been delivered to the House, and would altogether alter the conditions of debate in this House. In the Senate, our debates are really debates, and I think it would be a great pity that anything should be done to alter the present condition of things.

Hon. Mr. DANDURAND—I was not suggesting that for the Senate.

Hon. Mr. POWER—As to the Commons, let them do as they please.

Hon. Mr. ROSS (Halifax). I am decidedly opposed to the curtailing of the reports of speeches, as far as the Senate is concerned. There is no time lost in this House by making long speeches. As to the question of omitting debates on divorce Bills I think I have said more on that question myself than any other member in the House, but it was altogether in opposition to the system of granting divorce, that it should be taken from the Senate altogether. That was my contention. The speeches in the House of Commons are now getting to be wearisome on the question of reciprocity. The same arguments are used over and over again, till the subject is worn threadbare. There is not much interest in reading the speeches, except those delivered by a few prominent speakers. It would be well if a method could be adopted that the speeches in the House of Commons could be reduced and then the length of the sessions would be reduced accordingly.

Hon. Mr. COFFEY—I am in favour of the motion submitted by the hon. member from De Lorimier, and the Committee on Debates and Reporting will, I am sure, give the matter its very best attention. I may say, however, that this is a subject surrounded by a great many difficulties. There is a good deal of human nature in the members of the Senate, such as there is to be found in members of other chambers. Most of us dearly love to see everything we say in print the next morning. Some are in that class, others are indifferent. The greatest difficulty will lie in making a proper condensation of the speeches. The chief of our staff, Mr. Holland, is an expert in that work; the young man who makes our press report is an expert; but I can assure the House that such men are very rare. A good synopsis of a speech is very difficult to make. Then another difficulty confronts us: An hon. gentleman might speak for two hours, and, as a consequence, he would expect a considerable report of that two hours' speech, or a considerable synopsis. Another gentleman might speak for a half an hour and say more in that time than his predecessor said in the two hours. It is a difficult question to decide, because there are so many pros and cons in connection with it. If you pass this motion and send it to the Committee on Debates and Reporting, all we can promise is that we shall give it our very best attention.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may perhaps be permitted, as being in common with my hon. friend from Hastings, one of the very few men who have had practical experience of 'Hansard,' and non 'Hansard,' so to speak, to give my recollections as to the possible effect of abolishing the Senate Debates. I can only repeat here what I have had occasion to say more than once in the House of Commons, and what I believe pretty well embodied the views of a great many members of the House, although they did not find it convenient to give force to it, and that is, I am a great believer in the principle of natural selection. When we had no 'Hansard,' I found that when a man had nothing to say and said it at great, length, the newspapers took care that he was reported accordingly. I found also that infinitely better versions of what was said in debate by the leaders and of members who had anything to say reached the country through the medium of the newspaper reporters, who in my time used to give very admirable summaries of the debates on either side, better than is the

case at present, and I must say that the length of the sessions under these conditions was much shorter than sessions are at present. I do not think I do any injustice to the gentlemen in the other Chamber in saying that in these early days there was quite as much oratorical talent on both sides of the House as there is at present, and perhaps a little more.

Hon. GENTLEMEN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—The question which my hon. friend has introduced is, incidentally, an extremely important and broad one as regards parliamentary government. I believe that we are in danger, in a country like Canada, of interfering with the good government of the country by allowing the sessions of parliament to be protracted to a most unreasonable length. The Senate is very free from reproach on that subject, and in that respect, at any rate, and as regards the length of its debates, and I think in regard to the way in which these debates are conducted, it offers a very good example to another place I need not further allude to. But apart from that, I think it will be found by all men who have had any experience in this matter, that an unduly protracted session of parliament—and we have had of late a great many of such sessions—tends always to affect seriously the possibility of giving proper attention to the great affairs which are now placed upon the shoulders of the government of Canada, from whichever side of the House it may be drawn. If you keep a House in session for five or six months you make a demand on the strength of the ministers, and on their opportunities for attending properly to the business of their departments, which it is almost impossible for them to discharge fully and faithfully. It is a matter of pure mathematical demonstration, that the longer the session the less time a minister can have to attend to any of the important matters which may be brought up, either affecting his department or the general conditions of the country. I can remember, when I had the honour of being a member of the cabinet of Alexander Mackenzie, and when we were opposed by two such able men as Sir John Macdonald and Sir Charles Tupper—and the matter is on record—that we tried—and I think my hon. friend will bear me out—to make our sessions close within the period of three months on the average, for five, six or seven years. It was not for lack of hard fighting nor for lack of important questions, or of those questions being debated; but it was because the Commons did not read ponderous essays on questions, but debated as debates should be carried on, and that was largely due, in my opinion, to the fact that the House had grown up under a system of non-'Hansard.' I believe that one of two things is necessary, as my hon. friend has said, that either they should introduce a system of closure, which would, I think, have practically the same result, or that they should abolish the 'Hansard,' and leave the good sense of the House and leave the good sense of the press of the country to suppress those parliamentary bores who have lengthened unnecessarily the sessions in recent years.

Hon. Mr. LOUGHEED—For some years I have attempted to be a rather close observer of the utility of 'Hansard.' I must say that I have been prejudiced against that institution and that antipathy is confirmed session after session. It seems to me to be a monument to the vanity of many aspiring speakers and orators, and has certainly become an abuse so far as the deliberations of parliament are concerned. I think it is humiliating to the dignity of both Chambers of parliament, and a reflection upon the intelligence of both Chambers, that 'Hansard' should be made use of, and the time of the country and time of the members of both Houses taken up in listening to speeches which are not directed to the consideration of the business before parliament, which have not for their object the assisting of members of parliament to come to a particular conclusion, or to a wise conclusion, on the matters under consideration, but addresses, specially delivered to the electors of the country by the speakers of the day, irrespective of the immediate subject before parliament. It surely was never designed that 'Hansard' should be made use of for such a

purpose. It surely could not have been intended that the time of parliament should be occupied by demagogic speeches, made only to inflame the public mind of the country. There is the further consideration of the expense involved in thus making use of 'Hansard' as a parliamentary institution. A measure, or a criterion that we have of the value which is placed upon speeches made from time to time by members of parliament is the synopsis which we find in the public press from day to day as to what takes place in this Chamber. We in this Chamber have appropriated a very substantial sum for the purpose of disseminating to the press of this country a synopsis of the deliberations that take place from time to time. And what do we find! We find that the value placed by the press upon these deliberations is indicated in about a quarter of a column in the ordinary newspaper of the day, and sometimes not even that. It has always been a matter of regret to me that the government is not sufficiently courageous to take up the subject of revising our parliamentary system. Our parliamentary system is breaking down. Our parliamentary system is not carrying out the object for which it was designed. When we go back to its origin, we can very well conceive the necessity of long speeches having been made in the early history of parliament. They were made at a time when the liberties of the people were at stake. Long speeches were made in the way of wresting these liberties from the aggression and oppression of the Crown. In the evolution of the parliamentary system, we find that 'Hansard' has become an established institution. Parliament, now, instead of promptly disposing of its business, the same as a business corporation, or an aggregation of business men with similar objects before them, will take from six months to a longer period, and then very unsatisfactorily dispose of the business that parliament was summoned to consider. Without casting any reflections upon the parliament of Canada, let us look back and review within our minds the length of time occupied in dealing with subjects which are really of no very great importance, so far as the deliberations which take place upon them are concerned. Those discussions are not designed to produce conviction in the minds of members, or to assist them in coming to a conclusion. The two sides of the House are arrayed one against the other, and it seems to become a contest as to which side shall occupy the greater portion of time in discussing a subject, and upon the conclusion of which you will find both parties at the same point as when they began. Take for instance the disposal of the vast expenditures of this country; we are disposing of one hundred millions annually. How are they disposed of? Can you conceive of any business corporation disposing of one hundred million dollars annually in the same way as we discuss the supplies voted by parliament? It would be a burlesque if the directorate or representatives of a great financial corporation sat around a large table and made such speeches upon the expenditure of money, as representatives of parliament are doing to-day. Is there any good reason why the expenditure of the Dominion of Canada should not be considered in the same way as an undertaking in which a financial aggregation of capitalists might be interested? Take for instance our Public Accounts Committee in the House of Commons. If any hon. gentleman would attend that very important committee, in which investigations are made as to expenditures of public money, he would find both political parties arrayed against each other. The economies which should be practised in making public expenditures are not being considered for a moment by the dominant party. The expenditure of the people's money is not thus the consideration which is in view. But the consideration in view seems to be on one side the suppression of information, and on other side as to which can extract most information touching any public expenditure. Fancy any business corporation disposing of their business in that way. I say it is high time that the government of the day—I do not care what government it may be—should be sufficiently courageous to appoint a committee composed of representatives of both sides of the House to take up in a patriotic manner and consider how the business of

the country can be best disposed of. So far as 'Hansard' is concerned, I can see nothing profitable to be gained by its continuance. Is there any gentleman possessed of so much anxiety as to suppose that the public will turn over the pages of 'Hansard' to see what he has been saying.

Hon. Mr. DOMVILLE—Nobody ever reads it.

Hon. Mr. LOUGHEED—If anybody did read it, I venture to say he would never regard it as the well considered opinions of even those who speak upon a subject. I therefore would suggest to my hon. friend that his resolution should be of a more comprehensive character than it is. I should like to see a resolution adopted to consider the whole subject not only touching the limitation of the official reports, but the continuance of 'Hansard,' and the further subject of dealing with a more desirable practice in parliament for the better administration of public affairs.

Hon. Mr. ROSS—I had the honour of being associated with the committee of the House of Commons when the 'Hansard' of that Chamber was first instituted. The leader of the House will remember that, after serious discussion, it was determined that the speeches of the day should be perpetuated in that form. That was in 1875. 'Hansard' was then comparatively small. I think its early publications consisted of one or two volumes, small compared with what they are to-day, extending over four or five large volumes. I do not agree with the hon. gentleman from Calgary that the 'Hansard' of either House should be discontinued. I would vote for its continuance for a variety of reasons. There is some force in the objection that it may be an incentive to some members to extend their remarks beyond a reasonable limit. Sometimes hon. members will extend their remarks beyond reasonable limits when there is no 'Hansard,' but that incentive, if withdrawn, might limit the length of the session. It must be remembered, however, that there is much more business done in Canada now than there was thirty years ago. We have to deal with larger questions, and a greater variety of them, and it is only reasonable to suppose that our sessions will be more extended now than they were thirty years ago, although I believe the extension of the session is beyond reason and beyond the limits necessary for efficient service either of members of the government or members of the House of Commons. Still I do not see how we are going to save so much of the time of the House by abolishing the official reporting as we would save if the other branch of parliament would adopt some system of closure. It must come some time. They have reached that point in every large representative body in the world. In the United States they reached it many years ago. The House of Representatives now consists of 400 members, and when it was much smaller they adopted a system of curtailing the debates. It is agreed by the committee which manages the debates that so much time shall be given for the discussion of a certain question. That time may be taken up by one, two or three members, or it may be divided among as many members as the leaders of the opposite sides agree upon. One may speak for an hour and a half, another for an hour, and another for ten minutes, but they must keep within the limit, dividing the time as they see fit. In that way, when the hour or two hours limit elapses, a vote is taken. In the English House of Commons a certain number of hours are allotted to a certain debate, and when that time elapses a vote is taken under the closure system. A method of that kind in the other Chamber would no doubt limit discussion, and the suggestion of my hon. friend who opened the debate is very appropriate. Turning to this Chamber, if I may be allowed to say, as a new member, I have never seen a single occasion in which it appeared to be necessary to adopt the closure. Not in my experience has a single speech exceeded an hour or an hour and a quarter since I have had the honour of occupying a seat here. Not in a single case has a debate been extended until it was completely exhausted or until the members were exhausted by a prolonged debate. Take the debate on Naval Defence. I took the trouble to compare the time devoted to the

debate in the two Houses, and, speaking from memory, without having the figures exactly before me, this is the result: In the session of 1910 there were 8,892 columns of the Commons 'Hansard.' Of that nearly 2,000 were devoted to the discussion of public Bills and legislation, 2,000 to the debate on the naval question, and the other 4,000 to debates on strategical questions, such as motions by members to bring certain questions before the House, or motions on which to base political platforms in the future. One-fourth of the time of the House of Commons was taken up with the discussion of public Bills and necessary legislation, and three-fourths of the time in the discussion of motions of a political character, leaving out the question of naval defence as one. Putting it in another form: on the question of naval defence ninety-four members spoke on the subject of the motion, thirty-one in committee and seventeen speeches at different times. Coming to the Senate what do we find? The Debates contained 970 pages, of which 479 were devoted to the discussion of public Bills that came before the House, and the other four hundred odd pages were devoted to the discussion of motions, rules of order, divorce Bills and other matters of no public importance. Putting it in another form, one-fourth of the time of the House of Commons was given—leaving out the naval defence Bill—to questions of a purely political or strategical character. One half the time of the Senate was given to public Bills and private legislation, so that practically we devoted twice as much time to the real work of parliament, that is legislation, as was devoted by the House of Commons. I do not quite agree with the remark which has been made that members of another Chamber are censurable because they speak to the electors from the House of Commons. The House of Commons is the grand parade of the politician. If he is not able to give vent to his feelings there, where can he; and if he has a message, where can he deliver it more effectually than in the other Chamber if it is reported? If he prepares a speech that is of value for his electors it is valuable for the members of the House of Commons. I agree with what has been said, that after a certain time a debate is practically exhausted; but every member of the House of Commons has equal rights. Why should one, unless it be in the public interest, be closed before he delivers himself, rather than another? Nevertheless, I believe there is an educational value in those speeches, and if a member does deliver a speech with a view to its subsequent publication for the use of his electors, the charge is not a very heavy one on the treasury, and the electors are benefited to that extent. The House of Commons has other purposes to serve besides legislation. At all events ever since there was a House of Commons, it has been used as a platform to educate the constituencies with which it is particularly charged; and in educating them, speeches have to be delivered How are they to be educated if the speeches are not delivered? And if they are not reported the education does not go on. If they are reported, even in 'Hansard,' the work of education does go on. There are great public issues that are not brought before the country in any other way. The right hon. leader of the House will remember when the National Policy was before us in 1876, with what fullness the speeches of that time were reported, and how voluminous and how extensive was the circulation of those speeches throughout the country. Of course, to our view of the question, these speeches were circulated to the detriment of the Liberal party. They were largely of an educational character. They were valuable then, and they are valuable even to this day. I do not agree either with the remark made by the hon. leader of the opposition, that 'Hansard,' as a matter of record, is not valuable. I say it is invaluable. I had occasion more than once to consult the debates of the House of Lords during the last two years, and from those debates one gets information which cannot be got in any other way. For instance, in ten or fifteen years hence, how valuable will be the discussion on the Veto Bill in the House of Lords, by Lord Lansdowne and Lord Rosebery, and in the House of Commons by Mr. Asquith, Lloyd-George, and others. If you want to get the history of any period in England during the last two or three years, you will get it, not in the history of

England, not even in the best history of modern times, and we have some very valuable ones, as fully and completely as you get it from the 'Debates' of the House of Lords or the 'Debates' of the House of Commons, and here in Canada, if you want to know all about the Naval Bill five years hence, or about the inception of the Canadian Pacific railway or the Grand Trunk Pacific, you will not get that from the newspapers. If you are obliged to do so, it is most difficult to make the inspection through the files of any paper; but go to your 'Hansard' and you have the whole history of that period spread before you as you cannot get it in any other way. This country must remember that we are making history in parliament, and that history should be recorded, and in no other way can it be more fully recorded than by speeches delivered by hon. gentlemen in another place and in this Chamber. We know from experience, we know from the speeches we hear in this House, we know from speeches we read that have been delivered in the other House, that these speeches have cost infinite labour on the part of the speakers. Why should that labour be wasted? Take this discussion on reciprocity; how valuable that discussion will be twenty or thirty years hence. I had the pleasure of reading the discussion on the reciprocity agreement in the United States House of Representatives and the Senate, when the Act of 1854 was repealed. I read that within the last few days. It is a most illuminating discussion. I never understood the question as well before as I do now, from reading that debate. I thought the Act of 1854 was repudiated as a matter of pique on the part of the Americans. Surely there was pique, but any person who reads the debate by the members of the Senate and House of Representatives will see that there were other things that weighed on their minds, and reasons that were never known to me until I read the reports of that debate. It is important for us as Canadians that our deliberations and judgment, in the same way, should be put on record, so that those who come after us will know the methods by which we moved and the facts that influenced our judgment, and the evidence by which we came to certain conclusions. Having learned these facts, they will be better able to shape their policy and draw their conclusions. I do not think we should discontinue the Senate 'Debates.' The Senate is not very prominent in the public mind, not more so than it ought to be. Abolish our official 'Debates' and we lose another step forward. We shall be driven back a step or two into the obscurity which they say we are suffering from at the present moment. With the Senate 'Debates' obliterated and the official reporting of the House of Commons running at the rate of several volumes per annum, their importance will be still greater than ours, and to that extent we shall suffer. If there is to be abolition in one House, let there be abolition in the other. I would say, let us not abolish our own. I agree with my hon. friend who opened this debate, that we might eliminate the debates on divorce. They ought to be eliminated. I agree with my hon. friend that we might condense our report of debate in Committee of the Whole, although it is not very lengthy. However, it might be compressed somewhat. We might compress sometimes the prolonged discussions we have on points of order, from which no great good can arise. Our rules of debate and the parliamentary manual guide us sufficiently in regard to points of order without several pages being taken up by needless discussion in that regard. With the exception of these three items, our official report I think is a fair compilation of the debates of this House. I think it is very instructive. I have read back numbers of our 'Debates' since I came to this Chamber, in order to ascertain the views of the Senate in days gone by on public questions. I have found them very valuable. I think we would be eliminating from the records of the parliament of Canada a source of information for which posterity will not thank us. The cost is not very large. We are not worrying people unnecessarily with prolonged speeches. As a rule, our speeches are to the purpose, and if the other Chamber has not light on the subject, and on the properties of parliamentary usage, and goes against the endurance

and patience of the public, and their own, perhaps, let them bear the blame. Let us not transfer to this Chamber their follies and weaknesses. It is for them to say whether they should suffer, although to a certain extent we are suffering if they needlessly prolong the session. Perhaps after this voice from us, their ways may be mended and the proprieties of debate, and the endurance of parliament, will be considered. I believe that a meeting of the joint committee of this House on the question would serve a useful purpose; but, in the meantime, I am content that this notice should go to the Debates Committee, and some report be produced that might help to relieve the situation to a certain extent, if any relief is required.

Hon. Mr. MACDONALD (British Columbia)—The hon. gentleman who moved the resolution for the shortening of speeches and eliminating some of the debates from the official report, omitted the thing which I think is deserving of consideration. If any member of this House, month after month, and week after week, and day after day, brings in an avalanche of questions which may be relevant or irrelevant, the House or the Debates Committee ought to consider whether they should eliminate such questions from the 'Debates.' When the committee are considering this matter, they ought to take this point into consideration. When questions are put without any debate, and without the House being told what they are for, or what use they are to the country or to anybody, then I think the committee could fairly blot them from the records of the House.

Hon. Mr. ROCHE—Very many excellent sermons do not effect their object completely or to the extent designed by the preacher, because the audience is not there. That is the condition of the present discussion. The offenders are in the House of Commons. We do not reach them, they do not hear us. So far as I have observed, there are no transgressions in this House. The discussions are concise. They are not more expansive than is requisite to carry out public business. We are not sinners. I have observed in the House of Commons when questions of this character are brought up, that the gentlemen who speak most frequently and who speak the longest are those who are prone to advocate and propose measures to curtail our debates, and to close out those who may have made a rather long speech, but who may have probably spoken but once in the session. Some speakers are more prolix than others. Some have the happy faculty of being able to condense their remarks. It would not be safe to leave that matter to the judgment of a reporter, because, naturally, the leading members would occupy almost the whole of the space because of their position and from their natural weight, and the reflex of the debate would be, perhaps, one hundred pages of the sentiments of the prominent members of the House and a line or two might be given to a member not so prominent, but whose sentiments might be worthy of record and ought to be maintained. There is another consideration of this question that might present itself to us, that the reporters of the press are not gentlemen of the highest judgment, and, perhaps, have not been selected for their knowledge, skill or experience, because some of the papers have reporters in parliament who are chosen for the smallness of their salary and the urgency with which they press their services. The value that the press sets upon political discussion may be estimated from the papers in this city. They may devote a space of three or four lines to the profound deliberations of the Senate, and three or four pages to the very solemn subject of hockey matches and baseball contests, and the portraits of some particularly athletic individual in some obscure city in the United States with a full description of his misses and catches. We ought to afford every opportunity for members of the House of Commons to address their constituents. As has been remarked, that is the medium through which they convey their sentiments. Frequently the press garbles a member's remarks. Everybody is entitled to have his sentiments properly recorded either in this House or in the House of Commons. If the remarks are condensed, then they do not represent the sentiments and deliverance

of the speaker. A great many people in the country might not agree with the sentiments of any speaker, and the press is sometimes anxious to pervert the remarks of certain speakers and present observations which they did not make, or place an interpretation upon them which they never intended. Therefore, it is for their protection that the remarks of public men should be recorded at length, so that they may appear before their constituencies in a proper light and not as represented by garbled or perverted reports by penny-a-liners in the press. A representative of the people has had a very onerous election to run. He has had vigorous opponents. All that he has done or said may be misrepresented, and he has the gratification, after he reaches the Commons, of making a deliverance before parliament and before his constituents. How are we to know that he has turned out to be an impressive orator unless his sentiments are recorded, and how are they to be recorded if the reports of the debates are to be confined to the utterances of three or four prominent men? Some human beings are lazy, they will not take the trouble to make a speech, and the remarks of the leading men must be general. They go over the surface of the subject at large, but the real valuable information is contained in the remarks of the members who take up special points and present the bearing of these points upon local special interest. That is the valuable part of the debate, and it also fits men for positions in parliament. If the man had not the incentive that he would some day rise to a higher position, he would be a disgrace to his constituency and parliament. It is ambition that brings out the good there may be in us. It is the competition of man with man that develops the best qualities of intellectual oratory, and therefore let not the arguments of the leading men only, the leader of the government and the leader of the opposition, and a few gentlemen who monopolize the time of parliament to a certain extent, be recorded, but the humblest individual who comes up here and delivers himself on any subject of moment, because they are subjects of moment, should have his remarks recorded in full for the benefit of his own friends, for his own sake, for the benefit of parliament and for the benefit of the public.

Hon. Mr. BEIQUE—I quite agree with most of the remarks made by the hon. gentleman from Middlesex (Hon. Mr. Ross), especially this, that the House of Commons is the natural platform for the members to address themselves to the country at large, and I am not disposed to quarrel with them, as far as a reasonable latitude is concerned. But I quite agree that the debates in parliament are becoming altogether too long, and that they will entail failure of our parliamentary institutions. If the present waste of time is to be continued, no men of substance will be found ready to devote their time to parliamentary life. It will be left almost entirely to politicians who make it a profession, and it will bring failure to parliamentary institutions. We have, under the British constitution, which we consider to be, and which is the best form of constitution where parties divided by politics are recognized as being necessary, and a good thing; but party spirit must be tempered, to a certain extent, by members of parliament who have always in view the interest of the country at large rather than party interest, and if we arrive at a condition of things when both parties are composed exclusively, or almost exclusively, of politicians, and only politicians, I say it will be the worst condition for the country. It is perfectly well known that in years gone by, and one has not to go further back than ten years, the proceedings of parliament were published by almost all the daily papers in the country. Now they are not published, and why? Because the community at large do not take any interest in proceedings in parliament, owing to the way the reports are extended. It would take the whole of one's time to peruse the parliamentary debates. We find that the best of those papers give a column or half a column to the reporting of speeches which are made in parliament, instead of reporting the speeches extensively as they used to do. Public opinion demands that, and the public opinion of both parties on the question is that the length of the session should be limited

as much as possible, and that the speeches in parliament be limited as much as possible. I quite agree with the suggestion, that the best way is the closure, that so many days or so many hours be given to discussing one question, according to the importance of that question, and that when the time has elapsed, the vote be taken. I hope the Canadian parliament will adopt the closure as an improvement on the existing system. In this House we have not suffered, and the country has not suffered from long speeches. I am quite in accord with the motion made by the hon. gentleman from De Lorimier. In fact, as early as 1898, I was moving in that direction. A great deal of expense would be saved if the reporting of our debates was curtailed to a reasonable extent; not by way of leaving out the substance of a speech, but by eliminating what is unnecessary and that should not appear in the report.

Hon. Sir MACKENZIE BOWELL—Would the hon. gentleman substitute another word for the word 'useless,' in his motion?

Hon. Mr. DANDURAND—Yes, I will substitute the word unnecessary for the word useless.

EXPROPRIATION OF CARRIER-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Department of Public Works not aware that on the 22nd April, the Senate, by a formal order, requested all whom it may concern, to lay on the table of this House, among other things connected with the expropriation of the Carrier-Lainé & Co. property:—

'2. Copies of all reports submitted, directly or indirectly to the government, or in its possession . . . by the various advocates or agents acting in the name and in the interests of the government.

'4. Copy of all documents whatsoever and of all correspondence relating to the various transactions aforesaid, i.e., the acquisition, expropriation, purchase, &c., of the Carrier-Lainé & Co. property'?

2. In face of such a formal order, does not the department place itself in an odd position by attempting to evade it by pretending that it is not customary for the department to conform to such orders?

3. Can the hon. the leader of this House, who, at the same time is the guardian of its honour, with the diplomacy which is one of his traits, and, in his case, when there is a will there is a way, induce the department to cease all opposition and to cheerfully grant the Senate what it is entitled to have? When may we expect to obtain from Mr. Décarie, a permanent salaried officer of the Public Works Department, the documents which the Senate ordered to be laid down, over eleven months ago.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not suppose my hon. friend intended to reflect upon me, but I observe that he says in regard to me that I am the guardian of the honour of the House, with the diplomacy which is one of his traits. I rather think that is out of order.

Hon. Mr. LANDRY—Because I am telling the truth?

Rt. Hon. Sir RICHARD CARTWRIGHT—It may be true, but it may be out of order just the same. It strikes me that his inquiry is hardly worded as it ought to be.

Hon. Mr. LANDRY—I might dispense with reading that part of it.

Rt. Hon. Sir RICHARD CARTWRIGHT—I have called the attention of the Department of Public Works, as I promised, to my hon. friend's divers remarks, and they have forwarded me the following:

Page 468.—Letter of 24th instant, mentioned, has been supplied and can be found in Public Works file. Vien's report of 24th. in Public Works file. Vien's report of 29th, in Public Works file.

Page 468, 2nd column.—Letter from Casgrain, Lavery, Rivard and Chaveau, of 28th, in Public Works file. Letter from Mr. Newcombe to Secretary of Public Works, inclosing above, in Public Works file. Letter from Carrier-Laine, 24th December, in Public Works file. Letter of 16th to Decary, in Public Works file. Vien's report of 21st instant, in Public Works file.

Page 469.—Cockburn's letter, in Public Works file. Arrangement, &c., can be found in Public Works file under date of April 10, 1909.

Everything called for by Mr. Landry is to be found in return sent in by the Department of Public Works, except first letter mentioned in first column of page 469, and second letter mentioned in second column of same page; these should be supplied by the Department of Justice. This last report was sent to this department but returned to the Department of Justice.

PAYMENTS TO MR. VIEN,

INQUIRY.

Hon. Mr. LANDRY inquired:

1. With reference to the bill of Mr. Vien, advocate and agent of the government in the transaction relating to the Carrier-Lainé & Co. property, of Lévis, the government having stated, on the 14th February last, in reply to a question put in the Senate, that this bill was not yet paid, but that a request had been made to the department concerned for the issuing of the necessary order for the payment of the said bill, to what department was an application made to obtain the issuing of the said order?
2. Was the desired order obtained?
3. What was the amount thereof?
4. When was it handed to Mr. Vien?
5. To what department was the amount of this order finally charged?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Public Works.
2. A cheque was obtained.
3. $2,875.78.
4. Mailed under cover of a letter on the 21st of February, 1911.
5. Public Works.

USE OF OIL FUEL.

INQUIRY.

Hon. Mr. DOMVILLE rose to call the attention of the government to the following:

THE TIMES.

Finance, Commerce and Shipping.

London, Thursday, March 9, 1911.

Special Articles.

THE USE OF OIL FUEL—PRODUCTION AND DEMAND.

The employment of oil as fuel on a commercial scale had its beginning over 40 years ago in the steamer services of the Caspian Sea, but it is only within comparatively recent years that any considerable extension of the applications of liquid fuel has been reported. This slow growth in the use of oil as a heating agent has been primarily due to the uncertainty of obtaining regular supplies, and in spite of all assertions to the contrary that fear is not yet entirely removed. It is true that many new sources of supply are being exploited, that the supplies available are steadily increasing, and that, owing to the war of rates between the great interests involved, the price of liquid fuel is comparatively low. These conditions explain the growing favour with which oil fuel is now regarded, but in any attempt to forecast the future regard must be had to many other considerations. It will be appropriate in the first place to discuss the question of supply. The United States is still by far the largest single producer, her percentage of the total production in the year 1909 being 61·24 per cent; and, although the world's figures for 1910 are not yet fully available, it is known that the actual production of the United States for last year showed a considerable increase. The actual figures of the world's output of crude petroleum for the past five years are set out in the accompanying table:—

BARRELS OF 42 GALLONS.

Country.	1906.	1907.	1908.	1909.
United States*	126,493,936	166,095,335	172,527,355	182,134,274
Russia	58,897,311	61,850,734	62,186,447	65,970,350
Sumatra, Java and Borneo	8,662,572	8,377,099	12,612,295	14,932,799
Galicia	5,467,967	8,455,841	10,238,357	11,041,852
Rumania	6,378,184	8,118,207	8,252,157	9,321,138
India	4,015,803	4,344,162	5,047,038	6,676,517
Japan	1,710,768	2,010,639	3,481,410	2,488,742
Mexico		1,000,000	2,070,929	2,012,409
Canada	569,753	788,872	1,011,180	1,316,118
Germany	578,610	756,631	1,009,278	1,018,837
Peru	534,929	741,226	527,987	420,755
Italy	53,577	59,875	50,966	50,000
Other	30,000	30,000	30,000	30,000
	213,393,410	262,628,621	285,090,399	297,413,791

*United States, 1910, 207,849,930.

These are somewhat striking statistics, and it is significant that, as compared with the year 1906, the present production of the United States alone is nearly equal to the output of the oil fields of the world at that date. California stands easily first in petroleum production in the United States, and, following a 21 per cent increase in the out-

put in 1909, the increase in 1910 is from 54,433,000 barrels in the previous year to 75,000,000 barrels, which more than counterbalanced the falling-off in the output from other states. The figures for other countries show that the Russian output is steadily increasing, and there is a rise in the production of Sumatra, Java, and Borneo which is very satisfactory. In other respects the table may be left to tell its own story.

British Sources of Supply.

It is impossible not to be impressed by the small sources of supply in British territory, and this is a factor of supreme importance in connection with the use of liquil fuel in warships. The reason given for the apathy hitherto displayed in opening up the oil supplies of the British colonies is that the restrictions sought to be imposed have forced capitalists to turn to other fields of oil investment. That stringent precautions are necessary at the present time, when some attempts are being made to obtain capital for worthless enterprises, will be readily acknowledged, but any attempt to check the legitimate exploitation of oil lands in British territory would be a matter of regret, and where necessary the bonds of red tape should be relaxed. Attempts are now being made to develop the oil resources of British North Borneo, following the success attained in Dutch Borneo, and further work within the limits of the empire, on sound financial lines, would be an excellent move. The importance which is being attached by European powers to securing sources of oil supply within their own borders is emphasized by the decision of the Italian government to subsidize the industry, and this leads to a consideration of the special uses for oil fuel which are attracting attention at the present time.

For Warships and Merchant Vessels.

The employment of oil fuel in ships of war goes back for many years. The famous report of Rear Admiral Melville, dealing with experiments carried out for the United States Navy, was issued as long since as 1902. Once the technical difficulties had been overcome, the advantages following the use of oil fuel for warship propulsion were so obvious—there is no need to reiterate them here—that its extended employment was bound to follow, and all the recently built American destroyers have been designed to burn oil fuel exclusively, while the newer battleships use oil fuel as an auxiliary to coal. The experiments carried out by the British Admiralty were also conclusive as to the advantage of oil fuel, and the hesitancy in more generally adopting it, as in the case of other European countries, has been due to the fact that reliance would have to be placed on supplies from overseas. The difficulty could be, and indeed has been, partially overcome by the provision of large oil storage, but the position is still vastly different from that which obtains in the United States, where the native sources of oil are so large. In Germany, too, although the production of oil at the present time is comparatively small, it is steadily increasing, and the government is watching this development with the keenest interest. France, Austria, Italy and Russia are also moving in the direction of an extended use of oil for warship propulsion.

More recent developments in the maritime field relate to the use of oil fuel in merchant ships both for steam-raising purposes and also in internal combustion engines, which, as already pointed out in 'The Times,' are now being built in larger units for marine requirements. Several of the large passenger vessels sailing from American western ports make regular use of oil fuel, and a special correspondent of 'The Times,' lately on the west coast of South America, noted a considerable development in the use of oil fuel in connection not only with steamer services, but for other requirements. British shipowners are now giving special attention to the employment of oil engines for marine propulsion, and once the initial difficulties are surmounted, the field opened would be a vast one. Russia alone is said to use over 1,500,000 tons of oil in steamships.

Railway and other Requirements.

On railways the employment of liquid fuel in preference to coal is making rapid strides. In this field, as in others, by reason of the geographical position of the railroads in relation to oil supply, the United States has taken the lead. In the year 1909, the latest date for which accurate records are available, the consumption of oil fuel on United States railroads was nearly 20 million barrels. The oil generally used is crude petroleum. In Russia the railways are said to be using over 3,000,000 tons of oil annually for railway purposes, and in Austria and Roumania its employment in locomotives is being extended. In Great Britain, owing to the existence of abundant supplies of cheap coal, the burning of oil in locomotives has hardly got beyond the experimental stage. There are, of course, many other applications of liquid fuel, of which conspicuous examples may be cited in electric-power stations in foundries, in glassworks, for smelting operations; and, indeed, a case for its employment may be made out in connection with almost any type of stationary boiler. The resulting economies as compared with the use of coal for such purposes have not been touched, but while the saving varies with different classes of coal and other factors, it may be said to range from 30 per cent upwards, and in a majority of cases exceeds this percentage.

He said: The production in Ontario of oil fuel has been decreasing, but the imports, as might be expected, have been increasing. The total imports of petroleum oil, crude and refined, in 1910, were 67,949,643 gallons, valued at $3,133,449, in addition to 1,362,235 pounds of wax and candles, valued at $80,106. The oil imports included crude oil, 53,604,053 gallons; refined and illuminating oils, 7,656,727 gallons; lubricating oils, 3,071,257 gallons; other petroleum products, 2,607,606 gallons. The production of natural gas was valued at $1,312,614, being $68,568 for the province of Alberta, and $1,244,046 for Ontario. These values represent as closely as can be as-

certained the values received by the owners of the wells for gas produced and sold or used, and do not necessarily represent what the consumers have had to pay for the gas, since in a number of instances the gas is resold once or twice by pipe line companies before reaching the consumer. In Alberta, also, some gas is being used by brick manufacturers, for which no estimate has been obtained as to quantity or value. The total quantity of gas used in Ontario exceeded 7,036,000,000 feet, and in Alberta 450,000,000 feet. A considerable flow of gas is reported from the new wells of the Maritime Oil Company, Limited, in Albert county, New Brunswick, which it is proposed to pipe to Moncton.

If we are to believe that in the near future oil is to take the place of coal as a source of energy——

Hon. Mr. ROCHE—Never.

Hon. Mr. DOMVILLE—My hon. friend will not live for ever to see it, neither will I; but I think it will. It would not be very much to our advantage now to go against applied science. There are men in the world who know more than we do, although we are possessed of a great deal of knowledge. Here is a short article I happened to cut out of a paper that I will read to the House. It is as follows:

SMOKELESS OCEAN STEAMERS COMING.

Large Sea-going Vessels with Oil Engines under Construction in Britain.

London, March 7.—The recent launching at South Shields of the first sea-going, cargo-carrying vessel equipped with internal combustion engines has drawn attention to several other craft of the same sort now under construction in this country. The vessel launched last month is 120 feet long between perpendiculars, 22 feet beam by 11 feet 6 inches, moulded, and will carry a little over 300 tons dead weight on a draft of 10 feet, at a speed of 7½ knots. She is intended for short voyages, chiefly for carrying coals from South Wales ports. A set of high-speed six-cylinder vertical gas engines, manufactured by E. S. Hindley & Sons, of Bourton, Dorset, will be placed aft. They will have double ignition, and give 180 brake horse-power at 450 revolutions a minute. The gas plant is in duplicate, each division being of 100 horse-power.

The consumption of anthracite coal will be from 25 hundred weight to 30 hundred weight daily, against three and a half tons of steam coal for compound engines of equal power, such as are generally used for vessels of this size.

An experiment on a large scale is, however, under construction in Barclay, Curle & Co.'s yard at Glasgow for the Russian East African Company. The ship is to be oil-driven. While, of course, internal combustion engines have been used for some time for propelling vessels, nothing has yet been attempted in the way of installing oil engines in so large a ship. The new vessel is to be about 5,000 tons gross, and of about 7,000 tons dead-weight carrying capacity, and will have accommodation for a number of passengers. She will have a speed of twelve knots.

The advantage of the class of engine adopted is said to lie in the fact that it can be worked with the cheapest kind of oil, which can be bought at present at from $6 to $8 a ton. No magneto or spark is required to ignite the charge, this being done by compression, and the engines can be started in five minutes, compared to the fifteen hours required to raise steam with boilers. There are to be no boilers, no funnels, and no coal bunkers, the oil being carried in specially constructed tanks.

Two sets of combustion cylinder engines of the Diesel type (with improvements) will provide the propelling power, and a smaller engine of the same type is to be installed to generate electric power to drive the winches, windlass and steering gear, as well as to provide for lighting the vessel. As a result of extensive experiments the firm estimate that 100 tons of oil will carry the vessel as far as 300 tons of coal carry a steamer of the same size. Only about one-fourth of the space usually occupied by coal bunkers will be required for the oil tanks.

The change now introduced is considered to be of much greater importance than even the introduction of the steam turbine a few years ago, which made comparatively little alteration in the space which shipbuilders had to set aside for machinery, boilers and bunkers. W. Russell Ferguson, the managing director of Barclay, Curle & Co., expressed the opinion that within the next two years large vessels without funnels or boilers will be seen sailing the Atlantic, and that those vessels will be popular with passengers owing to the absence of smoke, soot and dirt.

I might call the attention of the House to the fact that the British government have not only stored oil at Plymouth, and other ports around the coast, but the vessels they are constructing to be operated by oil have within the last two weeks called for tenders for two hundred thousand tons of crude oil as fuel. So many matters are brought to the attention of the government that they have not time to consider everything; but I desire to call their attention to the fact that oil is the coming fuel of the future, both for stationary machinery and for vessels ploughing the ocean and rivers, and if we have oil in Canada, and if, after the experiments made in England, with dreadnoughts and other men of war, they are building ves-

sels now to be run with petroleum, crude oil, then when we are dealing with the navy which we are about to construct, why not follow out the lines that England is experimenting on, and run our vessels with crude oil also? If the enemy is looking for our vessels and we use oil for fuel, they can not see our smoke, and there is the additional advantage that the space occupied by the oil would be very much less than that occupied by coal, thus giving more available space for troops or provisions. These are things we must consider in our naval policy. It is not a new question. I have no doubt my hon. friend the leader of the House will be able to tell me that the government have looked into it. I am not proposing to dictate to this House or to the government, or to the country at large, but simply desire to call attention to the great progress that has been made with oil in developing energy for transportation. I shall, therefore, conclude my remarks and ask the government if experts have been called in to give their opinion as to the feasibility and practicability of operating such war ships as may be constructed in the near future in Canada, by fuel oil.

Hon. Mr. LANDRY—Could the hon. gentleman tell us how much space oil would take as compared with coal?

Hon. Mr. DOMVILLE—Two hundred and fifty gallons of oil are equal to a ton of coal, and would weigh about 1,000 pounds, whereas a ton of coal weighs 2,240 pounds. The oil would occupy less space.

Hon. Mr. LANDRY—Would it be one-half or one-third?

Hon. Mr. DOMVILLE—It is calculated about a half or a third—about a third, I think. We have a committee now who are trying to conserve our forests along the line of the Grand Trunk Pacific, and through the province of Quebec. If the locomotives burned oil they would not set fire to the forests, and oil at seven cents a gallon is equivalent in value to $3.60 a ton for coal. The handling is got rid of, and the unnecessary care of the furnace bars. An hon. gentleman in this House has taken out his coal apparatus in Toronto, and is burning oil instead of coal, and is using 50,000 gallons a month. I do not intend to go into the question of reciprocity as it would affect this proposition, or any such matters. My intention is, if possible, to develop such utilities as we may possess in this country, and if the oil in Ontario is disappearing, and the oil in the lower provinces is increasing, and vessels are to be run and locomotives worked by oil, then I am trying to bring before the country this question of the utility of crude oil as a fuel, and to ask the government if they have considered the utility of constructing men of war under a system that provides energy from oil instead of coal?

Rt. Hon. Sir RICHARD CARTWRIGHT—In reply to my hon. friend I may say that the government recognizes the importance of the question that he has alluded to, and that it is under their consideration, with the aid of naval experts.

THIRD READINGS.

Bill (X-1) An Act for the relief of Mary Jane Beatty.—Hon. Mr. Mitchell.

Bill (J-1) An Act to incorporate the Canadian Baptist Foreign Mission Board.—Hon. Mr. Derbyshire.

Bill (No. 91) an Act to incorporate the Pacific and Peace River Railway Company. —Hon. Mr. Power.

SECOND READINGS.

Bill (Y-1) An Act to incorporate the Quebec and Great North Western Railway Company.—Hon. Mr. Belcourt.

Bill (Z-1) An Act for the relief of Walter Harvey Kirkland.—Hon. Mr. Mitchell.

LABOUR ON PUBLIC WORKS BILL.

ORDER POSTPONED.

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading (Bill No. 3), 'An Act respecting the Hours of Labour on Public Works.'

Hon. Mr. ELLIS moved that the order of the day be discharged and that it be placed on the orders of the day for to-morrow.

He said: The hon. member from Toronto (Hon. Mr. Jones) came to me a short time ago and asked me to move that the debate be adjourned as the committee who are discussing the Grain Bill is sitting, and he

wants to get away to-night. In compliance with his request, I have moved the adjournment of the debate, but I want to take this opportunity to say that I am in favour of the Bill, though not in favour of referring it to a special committee of this House, or letting it slide out of this Chamber without some expression on the principle of the Bill. The examination made into the subject by the committee of the House of Commons was so thorough and complete, and the information on practically both sides of the subject in the blue-book published quite recently, contains not only the evidence in the case, but a variety of information generally on the subject of the eight hour system, that I do not think, in view of the facts that are before this House, it is worth while to go through a second inquiry in any special committee.

The motion was agreed to.

BILL INTRODUCED.

Bill (D-2) An Act respecting the Canada Cement Company, Limited.—Hon. Mr. Béique.

ONTARIO AND MINNESOTA POWER COMPANY'S BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill (No. 109) An Act respecting the Ontario and Minnesota Power Company, Limited.

The Bill was read the first time.

Hon. Mr. WATSON moved the suspension of the rules in so far as they relate to the Bill. He said: My object in making this motion is to get the Bill before the committee on Friday. I understand that the parties on both sides interested in this Bill are in the city and would like to be heard before the committee.

The motion was agreed to.

Hon. Mr. WATSON moved that the Bill be now read the second time.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until to-morrow at three o'clock.

Hon. Mr. ELLIS.

THE SENATE.

THURSDAY, March 30, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

INCORPORATION OF RAILWAY COMPANIES BILL.

MOTION.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, presented a report respecting (Bill A) An Act to provide for the incorporation of Railway Companies, recommending that authority be given to employ a shorthand writer to take down evidence respecting this Bill, and to have the same printed as they may desire. He said: With the consent of the House, I move that this report be now adopted.

The motion was agreed to.

BILLS INTRODUCED.

Bill (E-2) An Act to confer on the Commissioner of Patents certain powers for the relief of the Trussed Concrete Steel Company of Canada, Limited.—Hon. Mr. Campbell.

Bill (F-2) An Act to incorporate the Nipegon-Albany Canal and Transportation Company.—Hon. Mr. Watson.

IMMIGRATION OFFICE VOUCHERS AND ACCOUNTS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the superintendent of immigration, Mr. W. D. Scott, in an official letter addressed to each of the officials of the Quebec immigration office, and besides publicly posted for the guidance of such officials, exacted from each of them the production of vouchers in support of all accounts for meals and cabs?
2. Why are not Sosthene Morisset's accounts, laid on the table of this House on the 5th January, 1910, in conformity with an order of this House issued on the preceding 2nd of December, accompanied by vouchers required by the department and ordered by this House?
3. Has this official neglected, forgotten or refused to produce such vouchers?
4. Will an order be issued to him to produce them?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1. No.
2. See answer to 1.
3. No.
4. No.

DEED OF CARRIER-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Did the deed of sale of the Carrier-Lainé & Co. property, entered into between the Bank of Montreal and the government, also include the movable property of the Carrier-Lainé & Co. firm?
2. Was the Carrier-Lainé & Co. firm, which was interested in the sale of its movable property, a party to the deed of sale which disposed of the same in favour of the government?
3. If not, why not?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. It is a question of the interpretation of the deed, which must speak for itself.
2. They were not made a party to the deed, as it was not considered necessary.

REPORT RE SWIFT SIGHT.

INQUIRY.

Hon. Mr. LANDRY inquired:

In what month and at what date was the report of the sub-committee on Small Arms upon the subject of the Swift sight, approved by the authorities in the matter?

Rt. Hon. Sir RICHARD CARTWRIGHT —On September 29, 1910.

SUSPENSION OF LOCKMAN E. A. THIVIERGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Was there, in October, 1907, at lock No. 5, Soulanges canal, a lockman by the name of E. A. Thivierge?
2. Was he ever suspended and for what cause?
3. Was there, in November, 1907, a request made to the government by Dr. A. Bourbonais, the then federal member for the county of Soulanges, for the reinstatement of the said E. A. Thivierge?
4. Did Mr. M. J. Butler, Deputy Minister, promise that an investigation would be held, and that if it proved favourable to Mr. Thivierge, the latter would be reinstated?
5. Was the investigation held?
6. If not, why not?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.
2. Yes, on the 29th October, 1907, for drunkenness and absence from duty without leave.
3. Yes.
4. No, Mr. Butler stated that until an investigation was held no further action could be taken.
5. No.
6. There are no records in the department to show why an investigation was not held, as it was not considered necessary.

THIRD READINGS.

Bill (No. 62) An Act respecting the Algoma Central and Hudson Bay Railway Company.—Hon. Mr. Béique.

Bill (Z-1) An Act for the relief of Walter Harvey Kirkland.—Hon. Mr. Mitchell.

CANADA MEDICAL ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. BELCOURT moved the second reading of (Bill No. 15) An Act to amend the Canada Medical Act.

He said: This Bill comes from the House of Commons, without opposition. The Bill was referred to a committee of medical gentlemen, who are members of the House of Commons, and has received practically the unanimous report of the Canadian Medical Association, I understand; in fact, it was prepared by the Canadian Medical Association, and it has been strongly advocated by them. The committee of the House of Commons which dealt with the Bill was composed of fourteen physicians and one lawyer. The various provinces of the Dominion were asked to send delegates before the committee, and representatives of all except Nova Scotia appeared before the committee, and were heard. The committee approved of all the sections of the Bill with the exception of subsection a of clause 3, to which slight objection was made by the province of Sasaktchewan. That provision determined the composition

of the new Medical Council for Canada. The provision in question was to the effect that representatives from the various provincial universities having schools of physics and chemistry should have representatives on the board. As Saskatchewan had no medical school, they would be without a representative, and their objection was met by the appointment of a representative by the Governor in Council. The object of the Bill is to enable practitioners in various provinces, upon obtaining the certificate of registration of the Canadian Medical Association to practise, without any further examination or formality, in the various provinces of Canada. A gentleman who is admitted by the College of Physicians and Surgeons in the province of Ontario, upon presenting his certificate to the Canadian Medical Association, can receive a certificate of registration which will entitle him to practise in the other provinces of Canada.

Hon. Mr. CAMPBELL—Are these representatives of the various provinces appointed by the government, or by the medical association of each province?

Hon. Mr. BELCOURT—The Bill provides for the council as follows——

Hon. Mr. CAMPBELL—The hon. gentleman mentioned that they were delegates from each province; were they appointed by the government of each province?

Hon. Mr. BELCOURT—I understand it was by the medical councils of the provinces. The invitation was addressed to all the medical councils of the provinces, and they were asked to attend this committee. All the provinces, except Nova Scotia, sent representatives, who were heard before the committee, and the Bill was the combined wisdom of the gentlemen of the House of Commons and the members of this committee, after consultation with the various medical gentlemen of these provinces.

Hon. Mr. DANDURAND—I approve of the principle of the Bill, and would be ready to vote for its second reading; but a demand has been made by some of my hon. colleagues that this measure be sent to a special committee to allow some members of the medical profession who still have some objections to it, to be heard. I suggest that before the second reading we should see if those objections are sufficiently important to render it advisable to refer the Bill to a special committee. I would therefore suggest that the second reading be postponed until Tuesday next, in order that we may see whether we should accede to the request made by some outside parties that it be sent to a special committee. If their objections are not of sufficient importance to justify that course, I would be disposed to refuse their request and have the Bill committed to a Committee of the Whole House. It would perhaps help the progress of the Bill to postpone the second reading until Tuesday.

Hon. Mr. McMILLAN—There is really no no necessity to postpone the second reading. The object of the Bill is plain. On the face of it, you can see what it is designed to accomplish. We have heard no objection to the measure from any quarter. If the medical men of any province objected, we would have heard the objection before now. The hon. gentleman who introduced the Bill, I think, did not mean what he said when he stated that examinations were to take place before the Medical Board of Canada. Those who are already qualified, and have medical certificates from the provinces are not to be examined. It applies only to new members.

Hon. Mr. BELCOURT—I think I said exactly what my hon. friend is saying now.

Hon. Mr. McMILLAN—That is what is intended, at any rate. I cannot see any possible objection to the Bill. I may add that it cannot go into force until the provinces pass legislation accepting it. Without their consent, therefore, it cannot become law.

Hon. Mr. POWER—I was under the impression that the hon. gentleman who introduced the Bill proposed to refer it to our Committee on Public Health; but I think the suggestion made by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand) that it should go to the Committee of the Whole, like other public Bills, is a good

one. I notice that the hon. gentleman in charge of the Bill referred to the fact that all the provinces had been heard from except Nova Scotia. I think this is one of the cases where silence may be assumed to give assent. Nova Scotia is in this condition: We have a large number of good doctors there, and any doctor who came there to practise would have very little chance of making a living; and the doctors there are so good that when they go abroad their merits are immediately recognized.

Hon. Mr. BELCOURT—I wish to meet the desire of my hon. friend from De Lorimier; but would suggest that we give the Bill the second reading to-day, and postpone until Tuesday next the question whether it shall go to a Committee of the Whole or to one of the standing committees.

Hon. Mr. DANDURAND—Then the Bill would have to remain on the Order Paper, and a motion made that it be referred to a Committee of the Whole House, and the debate on that motion can be adjourned.

The SPEAKER—The motion is now for a second reading of the Bill.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. BELCOURT moved that the Bill be referred to the Committee on Public Health.

Hon. Mr. DANDURAND—I move the adjournment of the consideration of this motion until Tuesday.

The motion was agreed to.

WESTERN CENTRAL RAILWAY COMPANY.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of (Bill 94) An Act respecting the Western Central Railway Company.

He said: This is one of the ordinary Bills coming before parliament, asking for the incorporation of a railway company to construct a railway from the city of Toronto to London, with power to build from there to Windsor and Detroit. The company are incorporated by the Ontario government, and they are now desirous of obtaining a Dominioin charter, because they find that they will be able to finance the road much better with a Dominion charter than they would with an Ontario charter, and also that because it crosses the main lines of other roads no less than ten times, they would necessarily have to come under the Dominioin Railway Commissioners.

The motion was agreed to, and the Bill was read the second time.

SECOND READING.

Bill (No. 123) An Act to incorporate La Banque Internationale du Canada.—Hon. Mr. Casgrain.

POLLUTION OF NAVIGABLE WATERS BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. DE VEBER moved the adoption of the amendments made by the Standing Committee on Public Health and the Inspection of Foods to (Bill I), An Act respecting the Pollution of Navigable Waters.

Hon. Mr. DAVID—I move, seconded by the hon. member from Glengarry (Hon. Mr. McMillan) that the report be not concurred in, but that it be amended by striking out subsection 3 of section 3, as amended by the committee, and substituting therefor the following:

All sums of money recovered under this section shall be paid into the Consolidated Revenue Fund of Canada and shall be applied in such manner as is by the Governor in Council deemed best adapted to promote the objects of this Act and to secure its due administration.

It was one-half in the original Bill, and now it reads one-third. 'One third shall belong to and be paid for that purpose.' That is the part that I object to. I object to any part of the fine being paid to the informer, or to the person who takes action. I have always been opposed on principle to such clauses in connection with certain offences. I admit that in certain cases the payment of the fine or part of the fine to the informer might be right and proper. But in connection with this Bill, which is a Bill passed in the interest of public health and order of the whole country, I think it would be very dangerous to leave

it in that way when the population of municipalities, towns, and villages, farmers and poor people, living on the shores of rivers, would be at the mercy of any informer, who, in view of a share of the fine would do everything to take advantage of a chance offered to him to make money. We have had examples of this in Montreal, and I suppose hon. gentlemen must have had such examples in other cities; of associations being formed and combines made, in order to take action so as to share in the fines. These things have been published in the newspapers. I think the law will be severe enough without anything of that kind. I accept the principle of the Bill; I think it will do a great deal of good. The reason why I say that the whole of the fine collected shall go to the consolidated revenue fund, to be employed in promoting due administration of the law, is that I think it will do more good by being applied in that way. Laws of the same kind have been enacted by the provinces of Ontario and Quebec, and none of these Acts give any share of the fine to the informer or complainant. The whole fine is given to the Board of Health to be employed in promoting the interests of health. I do not see why parliament should not do the same thing, and take measures to prevent abuses which would be very disastrous and make the law unpopular. I have no hesitation in saying that if the Bill is passed in its present shape with that clause giving a share of the fine to the informer, you will cover the country with an army of men who will try to make a living on the fines they will be enabled to collect under this Act. The Bill provides that the Governor in Council shall make regulations and appoint officers, and a clause has been added to the original Bill, under which officers are to be appointed to enforce the law. That is right. Why not give those officers power to take necessary action? It will be a more effective guarantee, if the actions are taken by officers more or less under the control of the Governor in Council, that the law will not be used as a means of persecution and blackmailing. I think I have said enough to convince the House that it would be very dangerous to leave that clause as it is. I shall not refer to the other amendment now, but will wait until this is disposed of.

Hon. Mr. BELCOURT—My hon. friend seems to think there is very great danger in allowing a portion of the penalty to go to the person on whose information the prosecution is commenced. I cannot see where the danger is. The party who lays the information will have to prove his case. If he fails to prove it, he cannot get anything, and he will have given his time and labour for nothing.

My hon. friend says that in Montreal associations have been formed for the purpose of laying information, and if this clause is preserved in the Bill we shall have all over Canada an army of informers, constituting themselves a society for the purpose of enforcing this Act. I do not know that that would be very objectionable. I should think it would be desirable. If associations were formed in Ottawa, Montreal and other places to enforce the Act, I think it would be proper. If we are agreed upon the principle of the Bill, that the dumping of raw sewage in the river must stop, then the best means available should be adopted. My hon. friend says that in provincial legislation there is no provision of this sort; that Ontario and Quebec do not give a portion of the fine to the informer. I will not undertake to contradict him; he may be quite right, but assuming that to be the case, it is no argument why we should do the same thing. There is no doubt that this Bill is in advance of the legislation, not only of the provinces, but of that of a great many portions of the United States and Europe. We are trying to take a step in advance; we are not simply trying to mark time, and we must surround the Bill with all the provisions necessary to secure its enforcement. Instead of seeing a danger in the fact that this Bill is going to be enforced if this provision is inserted, I think that is a reason why it should be adopted. The measure will be difficult of enforcement, and will not be enforced unless knowledge which will come to some of us privately is used for the purpose of having it enforced. It has been disclosed in Ottawa in the last few days that for

years the grossest violations of the provisions of the Health Act of the province have occurred in the very heart of the city, on Sparks street, where out-door privies have been allowed to exist. If inducements are offered to people to assist in enforcing the law by receiving a share of the penalty, we shall have nothing of this kind. It must be admitted that the Board of Health cannot know everything that is going on. It would require an army of officers to ascertain the conditions of every one's back-yard, but all are interested in the enforcement of the law, and every one must take a hand in having it enforced, if it is going to be of any value. I do not think the danger my hon. friend refers to exists, because under the section of the Act the Minister of Agriculture, who shall have charge of the measure, is authorized to prepare regulations. These regulations may be, as the Act says, either of a general or special character. He may grant exemptions or permits; he may make regulations which will be applicable to cities, and other regulations applicable to villages, and so on. I cannot see where the danger exists in securing every possible means that we can secure to have this Bill properly enforced. I am afraid that if a provision of this kind is not included in the Bill, if some encouragement is not given to the people to see that it is enforced, it is going to be very difficult of enforcement, if not altogether a dead letter. My hon. friend's amendment would detract from the efficiency of the Bill.

Hon. Mr. McMILLAN—I agree with my hon. friend who moved this amendment, and do so upon these grounds: that the Bill smacks a good deal of oppression and tyranny. I can understand appointing informers where infringement of an Act takes place in a secret way; but the infringement of the Act and the wrongdoing which is aimed at is done publicly before the eyes of the community and before the eyes of the inspectors. The inspectors are supposed to be the guardians of health in cities and towns; they are the paid servants of these municipalities, and it is their duty to see that the law is carried out. It is their privilege to go into highways, byways and lanes and backyards to detect unsanitary conditions, and they alone have the right to do that; but a private individual has not the right to do it, and he could be arrested for trespass. For instance, under the license law of the province of Ontario, something is given to the informer, because the infringement of that Act is carried on secretly; but if my next-door neighbour has been infringing the law by keeping unsanitary premises, and is a menace to the community, it is the duty of the health officer to look after it; it is not the duty of a neighbour who may be induced to prosecute because of jealousy or a misunderstanding. For many reasons of that kind he may get his neighbours into trouble through spite or a desire for revenge, while the inspector would take action at the expense of the Crown. The poor man who may be the neighbour of the informer, and who may not be guilty at all, has to defend himself and has to pay his own expenses. The suit may end in his acquittal, yet he is put to all that trouble. I think it is wrong on the face of it. This law is intended to preserve the public health of municipalities, cities and towns along navigable rivers. The cities and towns, in their own interest, should enforce this law. Why then transfer the duty that is imposed upon them and upon the health inspectors of the municipalities, to private individuals, who may through ill-will and jealousy bring their neighbours into court? The principle is wrong; it looks to me like providing a means for oppression. There is not a man who lives on the banks of the St. Lawrence or the Ottawa who would feel safe from being prosecuted by his neighbour under that clause. Therefore, the clause should be struck out and the one proposed by my hon. friend (Hon. Mr. David) substituted.

Hon. Sir RICHARD SCOTT—When this Bill came up for consideration in the first instance, one half of the penalty was to go to the informer. It passed the House with that provision and was referred to the Health Committee. They substituted one-third instead of one-half, the balance going to the consolidated revenue. The main question is whether this legislation is necessary. Anybody who will look at

the mortality statistics of the last ten or fifteen years will be struck with the number of lives, many of them valuable, that have been lost through the pollution of our water supply. Only the other day, a leading citizen of Ottawa was carried off by disease contracted through the pollution of the river. Now is it right or proper that parliament should permit such a condition of affairs to continue? The pollution of the river can be carried on so secretly that only the one who commits the offence may know of it. Therefore, if you want the Act enforced some inducement must be offered to people to furnish information. Take this city as an illustration. They have had two committees appointed to discover who was at fault for the typhoid epidemic which has prevailed in the city to such an extent that nearly a thousand persons in the last three months have been suffering, and from the fault of somebody. After an investigation carried on by two committees the cause has yet to be discovered. Now they have applied to the provincial government for a commission headed by a judge, and agree to pay the costs of the investigation, and all that, because in the first instance the law was not enforced, and no offer was made to an informer to state how this pollution of the water occurred. There is no doubt as to the cause of typhoid in this country; it arises from the pollution of the rivers. It has gone on every year for the last ten or fifteen years. It happens to be worse this year than usual. Look at the history of other countries and you will find that the mortality from these causes is greater than from any other source. We are now asked to remove the inducement that would prompt men to inform the authorities of the existence of the pollution. The mere fact of the informer laying the charge does not convict the parties. The courts are extremely careful, and our duty is to offer some inducement to put this law in force. If you do not offer an inducement to prosecute, I do not hesitate to say that the law will be a dead-letter. We have passed laws in this Chamber over and over again to prevent sawdust being thrown into the streams and lakes. No one was authorized to put the law into force, and no premium was offered to punish the guilty party, and what was the result? The law was absolutely useless. During the last thirty years we have had laws passed to prevent the Ottawa river from being polluted, and yet they have been absolutely waste paper, because there was no inducement provided to bring the guilty parties to justice.

Hon. Mr. THOMPSON—I presume that the disposition of the House would be to enact such a law as would, in a measure, meet conditions that exist. The provisions of this Bill are very drastic, so much so that I am entirely in sympathy with the amendment that is being moved. The law would be so very drastic that its application on the River St. John, from source to mouth, would make every individual who has a farm on its banks, guilty. The seepage from the drains and barnyards goes into the river, and a man can be prosecuted by his neighbour and have him fined. I do not think a clause of this kind will tend to make the Act popular. Although the people of Ottawa have suffered, and we all sympathize with them, I am not satisfied that every man should look into his neighbour's backyard to find out whether he is doing something that is subject to a fine. The health officers appointed by the municipalities ought to be able to carry out the provisions of this Act, at least in its inception. When the country comes to understand what there is behind an Act of this kind, and the fines and liabilities, and they will know it through the press, and probably in time from the courts, they will take care to avoid becoming liable under the law. To induce every man by the prospect of reward, to watch over his neighbour, is doing something that I do not approve of.

Hon. Mr. CAMPBELL—Is it not a fact that many people in Ottawa who have not drunk the water have been taken down with typhoid?

Hon. Mr THOMPSON—I would not be able to answer a question of that kind. It looks as if they had been indulging in a good deal of water when they have so much disease. I think this House will

be doing an injustice if we do not accept the amendment.

Hon. Mr. CLORAN—I am firmly of the opinion that the hon. member from Mille Iles (Hon. Mr. David) has rendered valuable service not only to the public but to parliament by raising in the very mild way he did, an objection against the creation of a class of people that Canada has no need of. It has been attempted in the past, under provincial laws, to secure convictions through informers. My experience in the courts in the past thirty-five years is that the judges will not believe an informer, and we have very great difficulty in obtaining convictions on such evidence unless we have it corroborated. The judges will believe an officer of the law who is especially appointed to see to the administration of a certain Act. No later than last week, an officer of the Revenue Department was on his oath. He was alone. He was testifying to the violation of the Revenue Act. There were ten respectable witnesses, and yet their word was put aside in favour of the one witness, although these witnesses had the backing of the High Constable of Montreal as to their credibility and honour. From the fact that this man was an officer of the law, and not an ordinary informer, under the imputation of getting part of the fine, the judgment went against the defendant. In certain parts of this empire we have had enough of that class of men called informers. A certain portion of this empire in the past was under the heel of the informer; therefore, I say that the hon. senator from Mille Iles, in raising this objection, has done a service to parliament and to the country. Not that he is opposed to the object of this Bill, or its most adequate administration. We know that the object of the Bill is for the benefit of the people of Canada, but parliament should not put a clause in a Bill of this kind, or in any Bill, to induce men to give free rein, as the hon. senator from Glengarry has said, to the passions of jealousy or ill-will against their neighbonr. Under this clause, all an informer has to do is to give information, and he can do it quietly. The prosecution is begun against the individual and simply by informing, the complainant gets a third of the fine. If the case is lost, he loses nothing. In other cases of this kind, the Crown is not even allowed to give the name of the informer. In the administration of the Revenue Act in the province of Quebec, the Crown is debarred by law from giving the name of the informer, but the arguments made by the senators who are in favour of the Bill informer, but the arguments made by the senators who are in favour of the Bill but against this clause, are well grounded and based on experience, of what will happen in the future if it becomes law. Every man is not a gentleman. Lots of people are willing to do harm, even for no gain, but for the sake of doing injury to a neighbour There are others who are willing to do harm to a neighbour for the sake of gain; therefore, the principle involved in this clause is one that should not be put on the statute-book, and should not be approved of. Let the administration of this law, like other laws, be placed in the hands of the public officers. They are the proper parties to deal with it. I contend that the senator from Mille Iles is in harmony with justice and a proper condition of things.

Hon. Mr. DOMVILLE—I am thoroughly in accord with this Bill. I do not know what the amendment is. As regards what my hon. friend has said about informers, I do not think you can call it informing if a man in the country is conducting the sewage from his place in a way that his next-door neighbour is injured thereby, and is a detriment to the whole country. It is perfectly right that he should lay information without being called a common informer. To my mind, this is a very proper Bill. Sewage can be easily disinfected and then it will do no injury. Where I come from cesspools have been used for 40 to 60 years and have given no trouble. The owners disinfect them, and the result is we have not had typhoid fever spreading there like it has been in Ottawa.

It is time that some action should be taken to compel people to be cleanly around their premises and not be permitted to endanger the lives of themselves and of their neighbours by neglecting to

take proper precautions in disposing of sewage. Disinfection is a simple process known all over the world. I think the Bill should pass.

Hon. Sir MACKENZIE BOWELL—When this Bill was introduced, I pointed out some objections that suggested themselves to my mind, and endeavoured to show the difficulty of enforcing such a law. If provision had not been made in the Bill for vesting the power with one of the ministers to adopt regulations which would be based, I presume, on common sense lines, I should be inclined to vote against it. The question before the Senate at present is simply how the law shall be enforced, and whether the principle of granting a portion of the penalties imposed to the persons furnishing the information is sound. Notwithstanding what has been said, after having had some fourteen years experience on this very question of granting a moiety of the penalty to the informer, I say this Bill would be useless if it did not contain this clause. It is altogether an error to say that the informer should be known, or that he receives any benefit for giving information of any violations of the law. The informer goes to the proper authority to make complaint, and having made the complaint, the investigation takes place. If it turns out that the information does not sustain the charge he gets nothing. That is the principle that has been followed for a long period, both in the United States and Canada, when dealing with this question. Some years ago, a very intelligent committee was appointed by the authorities of the United States to consider this question, and an elaborate report was made against granting a portion of the penalties to the informers in cases of infractions of the law; but, after a few years experience, they found it absolutely necessary to return to the system of granting a portion of the penalties imposed to the informer in order to insure a proper enforcement of the Customs Act. I have heard this question discussed many times in the House of Commons, where gentlemen have taken the same ground against giving the informer anything, that has been taken by certain gentlemen here to-day. After an explanation of the practical working of the system and the necessity for its existence, in every instance have I seen them yield and accept the explanations made by myself and other ministers who have had to enforce the law.

If I understand my hon. friend correctly, he said that the question of granting moieties of fine did not exist in Ontario. I think he is under a misapprehension. My hon. friend says he had only reference to similar legislation. I am not prepared to deny it in that case, because I have not investigated it; but I know that the enforcement of the game laws and many other laws, where it is impossible for any government to have inspectors all through the country, can only be effective by having information given by those who are interested in or affected by infractions of the law. How otherwise would it be possible, with thousands of lakes in which we try to enforce regulations for the preservation of fish and game of various kinds, unless there was provision in the Act to reward those who complain of the infractions of the law. It is not necessary to say that the word informer is obnoxious to the minds of every one; but in order to enforce legislation of this kind, it is absolutely necessary to reward those who will give the information and seek its enforcement. I know the answer is that the informer lays a complaint for the sake of putting some money in his own pocket, and he puts his neighbour not only to inconvenience but to trouble and expense by informing on him. The neighbour is perfectly safe, however, if he does not violate the law. The man who shoots game out of season, or destroys the spawning beds of the fish deserves to be punished. But it is impossible to have an official of either the Ontario or Dominion governments on every lake, on every river and stream in this country, because they are very numerous. For that reason, I am convinced that this law will be utterly useless unless you have a provision of this kind to enable it to be enforced. When you speak of an informer, you refer to him with contempt;

notwithstanding that fact, it is necessary that informers shall exist if you expect measures of this kind to have any effect. My reasons for my position are based upon long experience. This law is a very drastic one, as pointed out by the hon. gentleman from Fredericton, but the very fact of its being drastic, and the fact of its operations being extended over a vast extent of country, makes it necessary to have such provision in order to make it effective. If it is not necessary to enforce it, abolish or repeal it.

Hon. Mr. EDWARDS—As far as the application of this law is concerned, I understand it is only operative by authority of the Governor in Council, and under the administration and regulation of the Minister of Agriculture. I have no doubt that it will be administered in various parts of the country in accordance with the conditions that exist, and so far as the amendment suggested by the hon. gentleman from Mille Iles is concerned, the suggestion is just as good as saying that there shall be no law at all, except in so far as individuals, of their own accord, may inform upon their neighbours. To police this country as the hon. gentleman suggests, would take an army, and would be a very great expense to the community. With regard to one neighbour informing upon another for gain, the result will be that if there is that dread of the action of your neighbour the law will be far more effective. We have evidence all over Canada of the desirability of such a law, and if you want to make it effective, it may be, perhaps, necessary in general terms, to have informers. I think it is better to take that risk in order that the law shall be made really effective.

Hon. Mr. BEIQUE—I have hesitated a good deal on this question, and at first sight I was inclined to be against the amendment of the hon. member from Mille Iles. I should state for the information of hon. gentlemen of this House, and in order that they may better understand the effect of the amendment which is proposed, that the hon. gentleman from Mille Iles intends to follow this amendment with another, which would come in as a subsection to section 4 of the Bill, to this effect: that the minister may appoint such officers as he deems necessary to carry out and enforce the provisions of the Act, and may also by regulations, &c., designate an existing Board of Health, sanitary authority or other persons for such purposes. I have just heard a remark which is a pretty severe qualification; but if the hon. gentleman were yet open to conviction, I still hope that I will be able to carry conviction to his mind. I shall first call the attention of the hon. gentleman to the considerations which weigh in my mind in favour of the amendment: What would be the effect of leaving the enforcement of this law to informers in the ordinary sense of the word? Do hon. gentlemen believe that a man who constitutes himself an informer will not subject himself to such hatred that he will not dare to inform unless he is actuated by motives of vengeance against a neighbour? I am afraid it will not have the object which the hon. gentleman who is in charge of this Bill, and who has given a great deal of attention to the matter, desires. It seems to me it would be much better to give to officers or persons, a mandate in order that they shall feel that they are discharging their duty in making complaint, instead of making money at the expense of a neighbour by lodging a complaint. It seems to me that the minister can find machinery already in existence that can be set in motion without much expense, and it will be the duty of these officers to lodge a complaint when the occasion arises.

Take for instance the fisheries law. Overseers are appointed to see that it is not violated. Suppose that instead of appointing overseers, the matter were left in the hands of informers, can you imagine that any neighbour would ever lodge a complaint, even if he is to receive a part of the fine? He would do it only from revenge. It is by appointing overseers of fisheries we have some guarantee that the law will be enforced, because the overseers have the protection of the law. They are simply doing their duty and are in a position to say: 'I do this because it is my duty,' but if it is left merely to the individual action of an

informer, I am afraid the law would not be enforced as we expect it to be. I propose at a later stage to move an amendment to the Bill for the purpose of giving it further elasticity and of ensuring that the Governor in Council may bring it into operation in cities and towns only to commence with, excluding farming territory from its provisions, in order that the law may be put in force as early as possible. I think that would disarm opposition to the Bill and render it more acceptable; and if in a year or two it should be found that it does not work properly or is not being enforced, we may amend the Act and have recourse to the system of informers.

Hon. Sir MACKENZIE BOWELL—I should liike to call the attention of the Speaker to the fact that the amendment is not in order. It is a motion to substitute one clause for another. Now, that can only be done at the third reading of the Bill. The amendment as it appears among the notices of motions, is that he will move it at the third reading.

Hon. Mr. DAVID—I have a right to give notice that I will move an amendment at the third reading. As this is a public Bill, I have the same right to move an amendment on the motion to adopt the report of the committee. If I succeed in carrying my amendment now, of course it will be unnecessary to move it at the third reading.

Hon. Sir MACKENZIE BOWELL—I have no recollection of any instance in which it has been done before. If the hon. gentleman is following parliamentary practice, one might give notice to revise every clause in a Bill by moving to substitute one clause for another. That should be done at the third reading.

Hon. Mr. POWER—A member has the right to move an amendment to any motion made in the House except two or three motions which are specified, and which we cannot amend. The hon. member from Mille Iles is quite within his right in moving to amend the report. It is done very often, and I cannot see that there is anything improper about it.

Hon. Sir MACKENZIE BOWELL—The notice is to amend the Bill at the third reading.

The SPEAKER—I called attention to that. Hon. gentlemen will remember that when the hon. member from Mille Iles was submitting his motion, I called attention to the fact that his notice was that he would move it at the third reading. He said he had also the right to go on with the motion at this stage. I apprehend he has. This is a public Bill, and although we referred it to a committee, and that committee's report is before us, the Bill comes before us in an amended form, and the question is whether the House is going to adopt the Bill, and the clauses which we are discussing, as the committee have reported it. If there is an objection to any part of it, instead of rejecting the whole report or referring it back to the committee for consideration, or moving to refer it to a Committee of the Whole House, it is open, I think, to a member to say: 'While I agree with the report, there is one clause that I object to, and I move now to amend that clause.' I think that is the proper course to adopt.

Hon. Sir MACKENZIE BOWELL—What is the difference between a private Bill and a public Bill?

The SPEAKER—I suppose if this were a public Bill, the proper course would have been to refer it to a Committee of the Whole House. It seems to me that when the Bill is before us with that report, in that form, and the adoption of the report is asked, any one who objects to it, can object to its adoption or object to any part of it, and that is what is being done.

Hon. Mr. BELCOURT—I do not rise for the purpose of taking exception to the ruling, but in order that the ruling may be better understood. I would like to call attention to the fact that if the Bill is sent back to the committee for the purpose of amending this clause, that would be the proper way.

Hon. Sir MACKENZIE BOWELL—I did not call attention to this procedure with the object of blocking the amendment, but for the purpose of ascertaining what was really the practice of parliament in a case of this kind. I differ from the Speaker in his view. However, I am not going to press it, but would like very much to have the Speaker make a record of his ruling, in order that it may be a guide for the future.

The SPEAKER—Am I not right in saying that has been the practice? I confess I know of no rule which applies except the practice I have adopted, I think more than once. A Bill has come here from the committee, which was amended by substituting a clause. The hon. gentleman will remember a Bill in which that was done, the Insurance Bill. I think that was amended in more than one clause.

Hon. Sir MACKENZIE BOWELL — The hon. gentleman is quite correct in making the statement that the Insurance Bill was amended here; but not in this manner.

Hon. Mr. WILSON—Before this motion is put, I desire to express my views in regard to it. We should all feel very grateful indeed to the hon. senator for bringing up this discussion. It is the case all over the country that streams have been more or less polluted by sewage. If by adopting any method which may be brought forward by this Senate the lives and health of the people can be protected, it is our bounden duty to do so. While I am not convinced that this measure will accomplish as much perhaps as many imagine it will, yet, if it accomplishes the saving of a few lives it is certainly our duty to do our very utmost, and be thankful that the matter was brought before us. I quite agree with the point raised by the hon. senator from Hastings (Hon. Sir Mackenzie Bowell); I think this amendment should have been submitted in such a way that every member of this House would have an opportunity of examining carefully into it. It is all very well for those who are on the committee to know what the amendment is, but that is not the case with all of us. We have not had an opportunity of examining this clause, and of knowing what the object of the amendment is. I do not think it is fair that any senator should proclaim that those who may lay complaints all over the country are men who will inform for the sake of the paltry sum that they will get for their share of the fine. It is certainly a very low estimate to put on human nature. We feel that every man will do his utmost for the protection of life and health of human beings. That being so, are we to suppose that any man, let him be an agent of the government or not, would inform on another person for the sake of getting the $2 that he might receive as his share of the fine? I have a higher estimate of the human race than that. I believe that we should have as many informations as we possibly can in the enforcing of a law of this description. With all the efforts that we may make we shall find that the law will not be fully carried out. It will to a certain extent remain a dead letter on the statute-book ; but if it is enforced, even to a small extent, we are justified in passing this Bill. I think it is absolutely impossible, under existing laws, to thoroughly protect the lives and health of the people. Look at the humiliating position we are now in in the city of Ottawa? Why should so many lives be sacrificed? Why should there be so much sickness, sorrow and sadness as we have in the city of Ottawa? Why should such a state of affairs exist? If a law of this description had been passed years ago, perhaps we would not be in the position in which we are now placed, and would have avoided the extreme suffering of the people of the city of Ottawa. I believe that we can, to a certain extent, eradicate some of the diseases arising from impure water, and, that being the case, it is our duty to make an effort of this kind. Every thanks should be rendered to the junior member from the city of Ottawa (Hon. Mr. Belcourt), for bringing this matter before parliament. Speaking of the amendment introduced by the hon. member from Milles Iles (Hon. Mr. David), I think it is unfortunate that there should be any necessity for making citizens public informers. We should avoid that as far as we can. When it is a case of life and death we may be justified in adopting that method, and we are justified in appointing detectives to see that

the law is not violated. I would like to point out to the promoter of the Bill, that unless he adopts some method to purify the water that is used for domestic purposes, I am afraid we shall have more or less trouble with it. Drainage and sewage will always exist. Water will always find its level, and it will run into streams; farmers will fertilize their farms with manure. The rains come and wash it into the rivulets which feed the creeks and the creeks to the river and the river to the navigable waters.

We know that impure water affects human beings who drink it, and that a great deal of the infant mortality which prevails in this country is due to that cause. The impure water that the cattle drink certainly has the effect of spreading disease through the milk. It is appalling. Statistics show that infantile cholera, a preventable disease, causes the death of half the human race. Providence never intended that children should be born to be carried off in infancy through the carelessness and neglect of their parents. That being the case, is it not our bounden duty to do all we can to prevent the spread of disease. Believing that some such law as this should be on our statute-book, though I am not too sanguine that it will accomplish all that my hon. friend expects, I shall feel it my duty and my pleasure to vote for the measure. Even though it fails to accomplish all that he anticipates, I hope he will continue his efforts, and that on some future occasion we may be able to so amend the law as to make it efficient and far-reaching.

The Senate divided on the amendment which was adopted on the following division.

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The SPEAKER—The question is now on the adoption of the report as amended.

Hon. Mr. DAVID—I move that the report be not now concurred in, but that it be further amended by striking out subsection 3 of section 4, as amended by the committee, and substituting therefor the following:

The minister may appoint such officer as he deems necessary to carry out and enforce the provisions of this Act, and may also by regulations in force designate any existing board of health, sanitary authority, or other person, for such purpose.

This is the consequence of the other amendment. The object is to give the minister and the Governor in Council the right to appoint officers. In certain cases it would be special officers, but the Governor in Council would be authorized to designate existing sanitary authorities, or other persons to take action in order to enforce the law. I think that the amendment is sufficient to give to the government and to the Minister of Agriculture all the powers which they require in order to enforce the present law.

Hon. Sir MACKENZIE BOWELL—I should like again to point out the fact that we are considering the report of the committee and also changing and amending the Bill. If the regular parliamentary practice was carried out, these amendments should either be made at the third reading of the Bill, or a motion should have been made to refer the report back to the committee with instructions to amend it in such and such a way. We are now upon the report of the committee, and it has nothing whatever to do with the amendment to which my hon. friend refers, and we are dealing with it in the same manner as if we were in Commit-

tee of the Whole. From the feeling in the House, it is not my intention to say anything further, but to point out what I am confident is one of the most irregular acts ever perpetrated either by the Commons or the Senate.

The amendment was adopted on a division.

Hon. Mr. BEIQUE—I beg to move that the report be not now adopted, but that it be further amended by adding to the 9th section of the Bill the following:

That such proclamation may be issued from time to time, and as regards only the territory of cities and towns, or of cities and villages and other territories, subject to such permits or restrictions as may be embodied in such proclamation.

I understand the promoter of the Bill is willing to accept the amendment.

Hon. Mr. BELCOURT—I am willing to accept it, but I think it is absolutely unnecessary as it is provided for already in clause 4. That is intended to limit the operation of the Act to certain territorial districts.

Hon. Mr. BEIQUE—It is intended to permit the proclamation to apply, if the Governor in Council deems it advisable, first to cities and towns and then in the next year to villages, or extend it to the farming community when desired, but not necessarily to extend to the whole community at the outset. It is merely for the purpose of giving more elasticity to the Bill. The hon. member from Ottawa is quite satisfied that it could be done under the Bill as originally put before the House. I differ from him.

Hon. Sir MACKENZIE BOWELL—Is that not already provided for by the Bill? How does my hon. friend propose to bring the Bill into operation? Who is to complain that a nuisance exists in any portion of the country? Is it by an informant? Under your amendment, upon what grounds would the Governor in Council be justified in issuing the proclamation to make the law applicable to any portion of the country?

Hon. Mr. BEIQUE—I understand if the Bill passes it will become the duty of the Governor in Council to bring the law in force by proclamation as soon as consistent with the public interest. My amendment does not touch clause 9 of the Bill. Clause 9 is limited to restrictions as regards water, whereas my amendment covers not only that, but covers territory. The Governor in Council will have to bring the Bill into operation and the moment one proclamation is issued his power would be exhausted and he could not issue any more proclamations, and that would not except municipalities outside of cities, towns and villages. Under the amendment, he would have the power to except these territories for a few years in order to find out how the Bill worked in cities, towns and villages, and give time for other parts of the country to prepare for the application of the law.

Hon. Sir MACKENZIE BOWELL—Do I understand that the hon. gentleman proposes to have the Act brought into force, by proclamation, piecemeal?

Hon. Mr. BEIQUE—Yes, that is the effect.

Hon. Sir MACKENZIE BOWELL—They may bring it into operation to affect the Ottawa river, and not to affect the St. Lawrence or the Rideau, just as may be deemed advisable in the interest of the health of the locality. That brings me back to the first question. How is the government to be made acquainted with the state of the water in any river or creek where they desire to apply the law? Is it by sending officers to look after it, or on the information of any informer?

Hon. Mr. BEIQUE—My answer to the hon. gentleman is this: that my amendment does not affect the economy of the Bill. The measure contemplates giving power to the Governor in Council to apply the law to certain parts of the Dominion, that is to all cities for instance, but not necessarily to apply it to municipalities outside of cities, and my amendment is merely for the purpose of allowing that to be done.

Hon. Mr. BELCOURT—I am afraid that the amendment is not going to improve the Bill. On the contrary, it may be the

occasion of very serious objection to the Bill. The hon. member must not forget that the Bill deals exclusively with rivers, and navigable rivers at that. My friend's amendment contemplates dealing with territory as well as navigable waters. All through the discussion of this Bill objection has been taken to it on the ground that we have no right to legislate generally as we are doing. My hon. friend in proposing the amendment, is giving good ground for those who think we are exceeding our powers, to oppose the Bill on the ground of jurisdiction. His amendment takes in, not navigable rivers, but towns, villages and other territory outside.

The amendment was carried on division.

On the motion to adopt the report:

Hon. Sir MACKENZIE BOWELL—These amendments are very important in their character and more particularly the last one, of which the members of the House knew nothing until the hon. gentleman proposed it. The least he can do is to allow the adoption of the report to stand until to-morrow, in order that we may have time to ascertain really what we are voting for.

The further consideration of the report was deferred until to-morrow.

The Senate adjourned until to-morrow at 2.30 o'clock.

THE SENATE.

FRIDAY, March 31, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

THIRD READINGS.

Bill (K-1) An Act to incorporate the Hudson Bay, Peace River and Pacific Railway Company.—Hon. Mr. De Veber.

Bill (R-1) An Act to incorporate the Ontario Railways Company.—Hon. Mr. Gibson.

Bill (N-1) An Act to incorporate the Pacific and Hudson Bay Railway Company.—Hon. Mr. Bostock.

Bill (No. 105) An Act to incorporate the Imperial Steamship Company.—Hon. Mr. Béique.

Bill (V-1) An Act respecting the Alsek and Yukon Railway Company.—Hon. Mr. Bostock.

Bill (W-1) An Act to incorporate the New Ontario and Quebec Railway Company.—Hon. Mr. Jaffray.

Bill (No. 113) An Act to incorporate the British Columbia and Central Canadian Railway Company.—Hon. Mr. Béique.

Bill (No. 110) An Act respecting the People's Railway Company.—Hon. Mr. Béique.

Bill (O-1) An Act to amend and consolidate the Acts relating to the Harbour of Toronto.—Hon. Mr. Jaffray.

Bill (A-1) An Act to incorporate the Restigouche Riparian Association.—Hon. Mr. Talbot.

BILL INTRODUCED.

Bill (G-2) An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

THIRD READINGS.

Bill (No. 75) An Act respecting the McCleary Manufacturing Company.—Hon. Mr. Coffey.

Bill (V) An Act respecting a patent of the Goldsmith Thermit Company.—Hon. Mr. McHugh.

Bill (No. 43) An Act respecting a patent of Conduits Company, Limited.—Hon. Mr. McHugh.

Bill (No. 111) An Act to incorporate the Saskatoon and Hudson Bay Railway Company.—Hon. Mr. Thompson.

Bill (No. 106) An Act to incorporate the Lake Erie and Northern Railway Company.—Hon. Mr. Ratz.

Bill (No. 101) An Act respecting the Huron and Ontario Railway Company.—Hon. Sir George Ross.

Bill (No. 80) An Act respecting the Buffalo, Niagara and Toronto Railway Company.—Hon. Mr. Riley.

Bill (44) An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon. Mr. Béique.

Bill (No. 32) An Act to incorporate the Sterling Trusts Corporation.—Hon. Mr. Douglas.

Bill (M-1) An Act to incorporate the Lloyds Casualty Company of Canada.—Hon. Mr. McHugh.

Bill (U-1) An Act to incorporate the North-West Loan Company.—Hon. Mr. Ross (Moosejaw).

SECOND READINGS.

Bill (A-2) An Act respecting the Joliette and Lake Manuan Colonization Railway Company.—Hon. Mr. Talbot.

Bill (B-2) An Act for the relief of Robert William Logan.—Hon. Mr. Derbyshire.

Bill (C-2) An Act respecting a patent of the Boiler Flue Cleaner and Supply Company Limited.—Hon. Mr. Campbell.

Bill (D-2) An Act respecting the Canada Cement Company, Limited.—Hon. Mr. Béique.

POLLUTION OF NAVIGABLE WATERS BILL.

DEBATE ADJOURNED.

The order of the day being called:

Resuming the adjourned debate on the motion for the adoption of the report, as further amended made by the Standing Committee on Public Health and the Inspection of Foods, to (Bill I), 'An Act respecting the Pollution of Navigable Waters.'—Hon. Sir Mackenzie Bowell.

Hon. Sir MACKENZIE BOWELL—When I asked to have the adoption of the amendment postponed until to-day, I thought I would be able to understand either the meaning or the effect that it would have on the Bill. On reading it again it suggests itself to me that it will have the effect, whether the hon. gentleman from De Salaberry (Mr. Béique) desires it or not, of destroying the Bill. The hon. gentleman says No, No. It may be presumption on my part to express an opinion contrary to the opinion given by a legal gentleman.

Hon. Mr. BEIQUE—I say that is not my object.

Hon. Sir MACKENZIE BOWELL—The Senate will remember that the great objection urged against the measure was its unconstitutionality, and had it not been restricted exclusively to navigable streams and rivers, the objection, I think, would have held good. That is the objection taken by some eminent legal authorities, and also by laymen. The amendment proposed by the hon. gentleman from De Salaberry (Hon. Mr. Béique) conflicts with powers which are vested exclusively in the local government. It says that the word 'not' be inserted before the word 'now,' and that it be 'further amended by adding the following to section 2 'and such proclamation may be issued from time to time, and as regards only the territory of cities, and towns, or of cities, towns and villages, or other territories, and subject to such permits or restrictions as may be embodied in the resolution.' My hon. friend from Ottawa, in order to bring the measure within the purview of this parliament, restricted its operations to navigable waters which are under the control of this government. This amendment gives power to enforce its provisions in cities, towns, territories, and in localities in any of the provinces. Whether I am correct in the view I take of it, that it is an infringement on provincial rights, and ultra vires, is a question for those more learned in the law than I am; but to my mind the moment the proclamation is made giving effect to this Act, which affects the different localities referred to in the Bill, it will be found that they have assumed an authority and powers to which they have no right.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think it is an important matter, and it is scarcely possible to discuss it now. I therefore suggest that it be postponed until Tuesday next.

Hon. Sir MACKENZIE BOWELL—I presume that is in order that the Minister of Justice may be able to give his opinion. I move that the further discussion be postponed until Tuesday next.

Hon. Mr. BELCOURT—I rise simply for the purpose of appealing to my hon.

friend to drop his amendment. It is not at all necessary, in my humble judgment, and it may seriously jeopardize the passage of the Bill. I think my hon. friend ought to seriously consider dropping the amendment altogether. To my mind it is absolutely covered by clauses 4 and 9 of the Bill, and is merely adding something which, unfortunately, may contain in itself sufficient grounds for opposition to the Bill, because if we legislate for territory outside of navigable rivers, we immediately give grounds for the objection which has been urged all along, that we are trespassing beyond our jurisdiction. I would ask my hon. friend if he would not consider the advisability of dropping the amendment.

Hon. Mr. BEIQUE—It is my misfortune to be unable to agree with the hon. gentleman. I have considered the matter seriously, and, rightly or wrongly, I am convinced that the clause is necessary and is not covered by the Bill as drafted. I have as much at heart as the hon. gentleman the working of the Bill, and if he takes the ground that farming territories cannot be excepted, I am afraid he will not succeed in having the Bill passed in the other House. I have no objection to add to the amendment the words 'The parts of rivers opposite cities and towns.' The Bill clearly deals with rivers opposite towns, and with navigable waters, and the exception would exclude all but such parts of rivers.

The motion to adjourn the order until Tuesday next, was agreed to.

THIRD READINGS.

Bill (No. 56) An Act to incorporate the Hudson Bay Mortgage Corporation.—Hon. Mr. Thompson.

Bill (K) An Act respecting the Hamilton Provident and Loan Society.—Hon. Mr. Thompson.

Bill (G) An Act to incorporate the Grain Growers' Grain Company, Limited. —Hon. Mr. Thompson.

The Senate adjourned until Tuesday next, at three o'clock.

Hon. Mr. BELCOURT.

THE SENATE.

TUESDAY, April 4, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 160) An Act for granting to His Majesty certain sums of money for the public services of the financial year ending respectively March 31, 1911 and March 31, 1912.

The Bill was read a first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said: There are only two sums involved, $45,115,900 and $2,460,000. That is two months' allowance for those sums which have not been voted en block by the House of Commons.

Hon. Sir MACKENZIE BOWELL—The item to which I called the attention of the right hon. gentleman when the supplementaries were laid before the Senate, of $80,000, which was charged to the Senate as being placed in the estimates, passed in the Commons under the general head.

Rt. Hon. Sir RICHARD CARTWRIGHT —That error was corrected, so as not to be made a charge against the Senate.

The Bill was then read a second and third time, and passed, under suspension of the rules.

THIRD READING.

Bill (No. 123) An Act to incorporate Banque Internationale du Canada.—Hon. Mr. Thompson.

THE GRAIN BILL.

REPORT OF SPECIAL COMMITTEE.

Hon. Mr. JONES, from the Special Committee to whom was referred Bill (Q) An Act respecting Grain, presented their re-

port, and moved that it be taken into consideration on the 20th instant.

The motion was agreed to.

Hon. Mr. DAVIS—I beg to present a minority report from the same committee.

Hon. Mr. JONES—This minority report has not been submitted to the committee, and, therefore, the committee themselves have no knowledge of its contents.

Hon. Mr. DAVIS—On behalf of the minority, I may say that we did not think it necessary. I understood that the committee had finished its labours when a resolution was moved and carried by a majority of the committee, which resolution is embodied in the report submitted to-day. We dissented from that, and considered, as far as we were concerned, that nothing was left for us to do but to prepare and submit a minority report, as we have done.

Hon. Mr. POWER—There is a right way and a wrong way of doing things. It seems to me that the hon. member from Prince Albert has selected the wrong way. The committee as a whole never had the pleasure of hearing the report of the minority. I flatter myself that I have a rather judicial mind, and it is possible, if the hon. gentleman had submitted his report at the meeting of the committee, I might have been induced to support his view; but I have had no such opportunity, and I think it is a very irregular proceeding to submit a minority report to the House which has never been before the committee.

Hon. Mr. TALBOT—I am very glad to know that the hon. gentleman from Halifax will have a chance to support us in the House.

Hon. Mr. DAVIS moved that the report be taken into consideration on the 20th instant, at the same time as the majority report of the committee.

The motion was agreed to.

BILLS INTRODUCED.

Bill (H-2) An Act for the relief of Mary Catherine Crittenden.—Hon. Mr. Watson.

Bill (I-2) An Act to incorporate the Continental Fire Insurance Company.—Hon. Mr. Watson.

Bill (J-2) An Act for the relief of Pauline Winslow Saunderson.—Hon. Mr. Thompson.

Bill (K-2) An Act for the relief of Nellie Bridgeland Morrison.—Hon. Mr. Derbyshire.

Bill (L-2) An Act for the relief of Frances Whittington Trusdell.—Hon. Mr. Derbyshire.

Bill (M-2) An Act to amend the Juvenile Delinquent Act 1908.—Hon. Mr. Casgrain.

The Senate adjourned during pleasure.

His Honour Mr. Chief Justice Sir Charles Fitzpatrick, Deputy Governor General, being seated at the foot of the Throne.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House.

It is the Deputy Governor General's desire that they attend him immediately in this House.

Who being come with their Speaker.

The Clerk of the Crown in Chancery read the titles of the Bills to be passed, as follows:

An Act respecting the South Ontario Pacific Railway Company.
An Act respecting the British Columbia Southern Railway Company.
An Act respecting the Guelph and Goderich Railway Company.
An Act respecting the Kootenay and Arrowhead Railway Company.
An Act respecting the Walkerton and Lucknow Railway Company.
An Act respecting the Dominion Atlantic Railway Company.
An Act respecting the Ottawa, Northern and Western Railway Company.
An Act respecting the Burrard, Westminster Boundary Railway and Navigation Company.
An Act respecting the Brockville, Westport and Northwestern Railway Company.
An Act respecting the Manitoba and North Western Railway Company of Canada.
An Act to incorporate the Empire Life Insurance Company of Canada.
An Act to amend the Immigration Act.
An Act respecting the E. B. Eddy Company.
An Act respecting the Pontiac Central Railway Company.
An Act respecting the Grand Trunk Railway Company of Canada.

An Act respecting the Georgian Bay and Seaboard Railway Company.
An Act respecting the Canadian Western Railway Company.
An Act to incorporate The Guardian Accident and Guarantee Company.
An Act respecting the Collingwood Southern Railway Company.
An Act to amend the Inspection and Sale Act.
An Act to incorporate the Capital Life Assurance Company of Canada.
An Act respecting the London and Northwestern Railway Company of Canada.
An Act respecting the Bay of Quinté Railway Company.
An Act respecting the Canadian Northern Quebec Railway Company.
An Act respecting the Ontario Northern and Timagami Railway Company.
An Act respjecting the Pacific Northern and Omenica Railway Company.
An Act respecting the Quebec, Montreal and Southern Railway Company.
An Act for the relief of Matilda Emo.
An Act respecting the Globe Printing Company.
An Act respecting the Athabasca Northern Railway Company.
An Act to incorporate the Niagara, Welland and Lake Erie Railway Company.
An Act respecting the Indians River Railway Company.
An Act respecting the Orford Mountain Railway Company.
An Act respecting the Southern Central Pacific Railway Company.
An Act respecting the Campbellford, Lake Ontario and Western Railway Company.
An Act to incorporate the Alberta-Saskatchewan Life Insurance Company.
An Act to incorporate the Canadian Inter-Mountain Railway Company.
An Act respecting the National Weekly Indemnity Company and to change its name to 'The Merchants and Employers Guarantee and Accident Company'.
An Act respecting the Ontario, Hudson's Bay and Western Railways Company.
An Act respecting the Canadian Northern Ontario Railway Company.
An Act respecting the Manitoba Radial Railway Company.
An Act respecting the Hamilton, Waterloo and Guelph Railway Company.
An Act for the relief af George Addison Brown.
An Act for the relief of Gertrude Maud Grant.
An Act for the relief of Mary Hamilton Johnston.
An Act for the relief of Dalton Mabel Stapleton.
An Act for the relief of Lorne Forbes Robertson.
An Act for the relief of Cecil Ernest Freeman.
An Act for the relief of Ethel May Hornell.
An Act for the relief of Paulina Verena Meyer.
An Act for the relief of Maggie Florence Sadler.
An Act respecting the Grand Trunk Pacific Branch Lines Company.
An Act respecting the Kettle River Valley Railway Company, and to change its name to 'The Kettle Valley Railway Company.'

Hon. Mr. DAVIS.

An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.
An Act to incorporate the Canadian Northern Branch Lines Company.
An Act respecting the Alberta Central Railway Company.
An Act respecting the Lachine, Jacques Cartier and Maisonneuve Railway Company.
An Act to incorporate Banque Internationale du Canada.
An Act for granting to His Majesty certain sums of money for the public service of the financial years ending, respectively, the 31st March, 1911, and the 31st March, 1912.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Honour the Deputy of the Gouvernor General doth assent to these Bills.

THIRD READING.

Bill (B-2) An Act for the relief of Robert William Logan.—Hon. Mr. Derbyshire.

HAMILTON DIVORCE CASE.

CONSIDERATION OF REPORT POSTPONED.

The order of the day being called:

Consideration of the twenty-first report of the Standing Committee on Divorce, to whom was referred the Petition of Andrew Lorne Hamilton, together with the evidence.

Hon. Mr. KIRCHHOFFER moved the adoption of this report.

Hon. Mr. CLORAN—When the hon. chairman of the Divorce Committee last week presented this report, he gave, as far as he could give, a promise or pledge, that the evidence would be in the hands of senators before the consideration of this report was taken up. He was supported in his contention by the chairman of the Senate Debates Committee or the Printing Committee. He was also supported by the hon. senator from Halifax, saying that the evidence would be in the hands of the House and of the members forty-eight hours before the consideration of this report was moved, and if it were not, any senator would be entitled to ask for a postponement of the consideration. These facts are well known to the House and are recorded in the Debates. An envelope has just been placed in my hands. I have had no time to unfold it, but on opening it now I find it is the report of the evidence

concerning this case, upon which we are asked to vote at the present moment. I understand that this report only reached the other hon. members at the same time as it reached me—about two minutes ago. I took the precaution during the week to ask every day at the post office for the report. The postmaster's answer was that there was none delivered to him, and he could not deliver any to me. In view of these facts, and in face of our protest—

Hon. Mr. KIRCHHOFFER—I do not think it is necessary for the hon. gentleman to finish his speech on the subject.

Hon. Mr. CLORAN—Allow me to complete my statement. Unless a point of order is to be raised, I will not be interrupted.

Hon. Mr. KIRCHHOFFER—All right.

Hon. Mr. CLORAN—The hon. gentleman has no point of order. I understand it is a delicate subject with the hon. gentleman, and it is with us too. We want to have the evidence in our hands before the committee or the hon. chairman of the committee asks us to cast a vote on it. I am not fighting here to-day against the merits of this case at all. I am simply vindicating the rights of hon. members to have before them the evidence upon which they are asked to give a verdict. That has been refused in the past, and even last week evidence was placed in our hands in regard to certain divorce cases, and the hon. chairman of the committee asked for the adoption of his report before that evidence could be read. Bills have been read the third time to-day without the evidence being in our possession. I contend that it is a violation of the rights of individual members of this House, and in future I will insist that when the chairman of the Divorce Committee presents a report for consideration with the evidence, that that evidence shall be in our hands, and not in the Printing Bureau. I am not prepared to oppose every demand for divorce, but I shall certainly be antagonistic in cases where the evidence is weak, and does not justify a dissolution of marriage. One of the worst crimes society can commit against itself is to dissolve family ties, even on grounds of adultery, and to-day parliament grants divorce on evidence that is absolutely weak, and on admissions of one party to the other without any proof whatever of the so-called statutory offence being committed. That is in the record of our Debates, and I contend that the Senate should not lend itself to such transactions. All the best spiritual power in the world, all the best social force in this world under Christ's rule demands that divorce be abolished, and we here, hon. members, men of age, men of honour, men of virtue, think nothing of violating the will of the greatest moral force in the world. They will adopt a report without having read the evidence, and grant a divorce on the most flimsy grounds. I stand here as an exponent of the views of people outside this Chamber. I know that the majority in this honourable House allow these Bills to go through as if they were simply pastime in legislation, forgetting the duty that we owe to society and to the law of God. I am serious, as far as I am concerned, in this matter. Hon. gentlemen have insinuated, not openly in this House, but outside, that I am under the direction or influence of the church in this matter. I speak as a man under the influence of the Christian law, guided by my own conscience and directed solely by the public interest. I understand and can comprehend the differences of consciences, the differences of estimation of God's teaching and am willing to bow to that as far my neighbours are concerned; I hope this will be the last time I shall be called upon to explain my attitude in regard to this question of divorce. I claim that divorce, instead of being made easy, should be made difficult. Yet right on my own side of the House, last year, hon. members declined to vote with me with regard to a Bill which would have been carried if they had supported me, a Bill which provided that when parliament grants a separation between man and wife, that the guilty party, the low-lived scoundrel of a husband, or the wretch of a wife, shall not have the right to re-marry. I asked that parliament should not grant to the husband who has

ruined his family the right to go into another respectable family and perpetrate further evil. That was the object of my Bill, yet Catholic senators declined to vote with me, on the ground that I was sanctioning divorce indirectly or directly. I was doing nothing of the kind; I was simply asking that parliament, in granting a separation, should not give a brutal man the right to duplicate his evil. I think I am standing on the highest moral grounds, and within the law of the Catholic Church, when I ask parliament not to allow a woman who has been untrue to her husband, a woman who has been travelling in high society—thank God the poor are more observant of the law in that respect, than so-called high society people—when divorced, to continue her life of evil under sanction of the law and of parliament. I want to see our young country maintain its bright name in the records of morality of the civilized world, and not brought down to the level of other countries, such as that of our neighbour, or of France or other European countries. I want to avoid the path of degradation. If it falls upon the individual alone it may not amount to much in the annals of this country, but when children are brought to the witness stand to swear against the virtue of their mother, and when witnesses are called upon to establish the evil habits of men and women, and parliament says: 'We separate you and you can go and repeat your offence under our sanction,' it is time to call a halt. If I were to stand alone here day after day, I should insist in the name of decent fatherhood and decent motherhood, that the granting of divorce shall be made more difficult. I am prepared to admit that, under the constitution, we have the power to grant divorce; but there is nothing to say that we shall grant it. The constitution merely gives us the privilege to do right or to do wrong, as the Creator gives freedom of will to men. We have the right of free judgment, and I appeal to parliament to guide this country along the lines of morality, and along the lines that make for peace, honour and virtue in the ranks of civilized society. In stating my position, I do so in a cause that is holy and just, a cause that will be profitable to the country if maintained.

Hon. Mr. KIRCHHOFFER, with the permission of the House, withdrew his motion and moved that the report be taken into consideration on Thursday, the 20th instant.

The motion was agreed to.

SECOND READINGS.

Bill (E-2) An Act to confer on the Commissioner of Patents certain powers for the relief of Trussed Cement Steel Company of Canada, Limited.—Hon. Mr. Campbell.

Bill (F-2) An Act to incorporate the Nipigon-Albany Canal and Transportation Company.—Hon. Mr. Watson.

POLLUTION OF NAVIGABLE WATERS BILL.

THIRD READING.

The order of the day being called:

Resuming the adjourned debate on the motion for the adoption of the report, as further amended, made by the Standing Committee on Public Health and the Inspection of Foods to (Bill I), 'An Act respecting the Pollution of Navigable Waters.'

Hon. Sir MACKENZIE BOWELL—It will be remembered that when this question was last before the Senate I took objection to the proceedings as being unusual and unprecedented. My objection was overruled, and I was met by the statement that there were precedents for the course being pursued by the hon. gentleman from Mille Iles (Hon. Mr. David) and the hon. gentleman from De Salaberry (Hon. Mr. Béique), and the Insurance Bill was given as an illustration, or rather as a reason for ruling the question in order. I took exception to the statement made acknowledging that a number of amendments had been made to the Insurance Bill at the third reading, but not upon the motion for the adoption of the report which had been made by the chairman, but rather that these amendments had been made on the third reading of the Bill. I have since taken the trouble to examine the record upon that question, and I find that on the

8th March, 1910 page 233 of the 'Minutes and Proceedings,' that Senator Gibson reported the Bill from the committee which had been considering the measure, with amendments, which were read, and the motion was made for the consideration of the amendments on the next day. On the 9th of March, 1910, the amendments were concurred in by the Senate. Then, on the motion of Sir Richard Cartwright, the Bill was ordered to be read a third time to-morrow. That was on the 10th of March, and on that day Sir Richard moved the third reading of the Bill. Upon that motion being made, Senator Béique moved in amendment that the Bill be not now read the third time, but that it be amended in certain particulars. Several amendments were then concurred in, before the Bill was read the third time. I took the trouble to look up this matter, because I was confident in my own mind of the course pursued on that occasion, and for that reason I objected to the proceeding which had taken place, in moving a substantive amendment to the Bill upon the motion for the adoption of the report. Not only was that irregularly introduced, but the hon. member from De Salaberry (Hon. Mr. Béique) actually made another motion materially affecting and changing the Bill, without giving any notice whatever, while the notice that was given for the amendment by the hon. gentleman from Mille Iles (Hon. Mr. David), was on the third reading of the Bill. To point out the importance of adhering to the usual proceeding and practice of parliament, all I have to do is to refer to the amendment which was proposed by the hon. gentleman from De Salaberry. Had that amendment been adopted at the time—and it would have been adopted had I not taken exception to it, and asked for a delay—it would have introduced an element in the Bill which would have rendered it unconstitutional and utterly useless. Those who have paid any attention to proceedings of parliament know that it has been the practice of centuries to give every opportunity to members, who are expected to cast an intelligent vote upon any question, to consider the question before the House. First a Bill is introduced. It is referred to a committee, and the committee report. Amendments are proposed and are considered some days afterwards, and, after their adoption, the third reading is moved, and at the third reading another opportunity is given for any member to take exception to the measure or to suggest such amendments as he thinks necessary. These are precautions to prevent as far as possible the members of either House being taken by surprise, as the Senate was upon the last day of the consideration of this Bill, and which would have resulted, as I have already pointed out, in adopting an amendment that would have destroyed the Bill completely and rendered it useless. With these facts before us, I now take the point of order, that the motion for the adoption of the report is out of order, and must appeal to the Chair for a decision on this question. While I am confident that the Chair must, after consideration, rule it out of order, under these circumstances I shall withdraw the request I made when the question was last under consideration to place his ruling on record. I withdraw that request, awaiting the decision that his hon. the Speaker may give upon this point. I can only add that if it is to be established as a precedent, we are adopting an exceedingly dangerous practice, and there is no telling what may occur in future by taking advantage of a ruling that could be used to place upon the statute-book highly objectionable amendments to any Bill that might be presented to the House.

The SPEAKER—I was not aware that the question was coming up just now, and I have not given the matter any consideration. I would like the hon. gentleman from De Salaberry, who took the objection, to be present when the subject is being discussed or ruled upon, and I ask that the matter be laid over until after the adjournment.

Hon. Sir MACKENZIE BOWELL—My hon. friend from Ottawa is very anxious that this Bill should pass this session.

Hon. Mr. BELCOURT—I think it would be disastrous if this Bill were not read a

third time to-day, because the Senate adjourns to-day until the 19th, and with the press of work in the other House, I doubt very much if the Bill could be put through that Chamber if it is delayed until after the Easter holidays. I think it is highly in the public interest that it should be passed to-day.

The SPEAKER—I did not realize that this question was coming up to-day, and therefore did not give the matter any consideration; but the impression I formed on the previous occasion was that the amendment was out of order, and, if desired, I will put the matter in writing before the next meeting. I think it would be advisable that the hon. gentleman who moved the amendment should be here when the matter is decided, because he might propose some other method of dealing with it. That is the conclusion at which I arrived. The question was for the consideration of the amendments of the Committee on Public Health and Inspection of Foods to Bill (I), and a motion was made by the Hon. Mr. Wilson, that the amendments be adopted. The Hon. Mr. David moved an amendment, and a vote was taken on that; subsequently Hon. Mr. David moved that the word 'not' be inserted before the word 'now,' and that was resolved in the affirmative. Then a motion was moved that the said amendment be now concurred in, and on that motion for concurrence in the amendments, Senator Béique moved an amendment. Therefore, the question now is on the motion for the adoption of the report as amended.

Hon. Sir MACKENZIE BOWELL—Do I understand his honour the Speaker to rule that that proceeding was in order?

The SPEAKER—Which proceeding?

Hon. Sir MACKENZIE BOWELL—The whole proceeding to which I have called attention. I raised the point of order, that the question should not be put.

The SPEAKER—That amendment being out of order, and out of the way, the motion is now on the adoption of the report as amended.

The motion was agreed to.

Hon. Mr. BELCOURT moved the third reading of the Bill.

The motion was agreed to, and the Bill was read a third time and passed, under suspension of the rules.

INCREASES TO SENATE OFFICIALS.

MOTION.

The SPEAKER submitted to the House a recommendation of the Clerk relating to an increase of payments to certain officials of the Senate.

Hon. Sir MACKENZIE BOWELL—Does this report refer to increases which the Auditor General declared illegal during the last session of parliament?

The SPEAKER—Some of them.

Hon. Sir MACKENZIE BOWELL—If my recollection serves me, the Clerk was ordered, notwithstanding the protest of the Auditor General, to pay increases which had been recommended by the Senate and which were contrary, as some of us pointed out at the time, to the Civil Service Act. The Clerk, I presume, is in this position: the Senate having ordered payment of these increases, what course must he take, particularly having no money out of which to pay them? What is of still further importance, is the fact that the Auditor General would object in case they were paid. Another question arises: How is the Clerk of the Senate to act in connection with the sums which have been advanced under the instructions of the Senate to different servants, which, under the law, as interpreted by the Minister of Justice and the Auditor General, were illegal. Is the Clerk to now obey the resolution of the Senate and pay these increases, with the knowledge that the authorities have decided them to be illegal? I understand that the Minister of Finance has refused even to place in the estimates a sum to meet the amounts that were paid by the Clerk under the instructions of the Senate. With that fact staring us in the face, surely the Senate will not insist upon the carrying out of its resolution authorizing the Clerk to do that which the Minister of Justice and the Auditor General declare to be illegal, and which the

Minister of Finance refuses to provide for in the estimates. Each senator ought, in justice to the servants who received this money, to put his hand in his own pocket and pay the amounts. I suppose the money that has been paid cannot be got back from them. Pay-day will occur before the Senate reassembles on the 19th, and the Clerk ought to be instructed as to what should be done.

Rt. Hon. Sir RICHARD CARTWRIGHT —Nothing that we can do can override an Act of parliament, and if any of these increases are contrary to the Act of parliament they will lapse.

Hon. Sir MACKENZIE BOWELL—The difficulty could easily be surmounted by the Minister of Finance placing an estimate in the supplementaries to meet what has been paid, and the Senate could rescind the resolution authorizing the Clerk to pay it. That is the only solution which suggests itself to me. However, my right hon. friend, the leader of the House, must take the responsibility.

Hon. Sir RICHARD SCOTT—It seems rather contemptible that this recommendation of the Senate should be opposed as it has been, and checkmated in all directions. I think the Minister of Finance ought to have recognized it at once. It is very contemptible, I think.

Hon. Sir MACKENZIE BOWELL—There is no doubt about that.

Rt. Hon. Sir RICHARD CARTWRIGHT —The law must be observed.

Hon. Mr. POWER—Something that the hon. member from Hastings (Hon. Sir Mackenzie Bowell) has said might be calculated to leave a wrong impression as to the action of the Clerk. I find at the end of his report a statement in which he says that in the case of the last six employees no provision appears to have been made in the estimates for their salaries, notwithstanding the fact that application was made to the Finance Department for the necessary amount required for that purpose. The Clerk has done all he could reasonably do in the matter. He has called attention to the fact that the funds are not forthcoming for the payment of the $50 each to these six employees. I concur substantially in the observation made by my hon. friend from Ottawa (Hon. Sir Richard Scott). It appears there were certain employees of the House of Commons who were in just the same position as these employees of the Senate, and I am informed by the very best authorities that these employees of the Commons have been paid. There is no justification for the discrimination which has been made between the employees of this House and the employees of the Commons.

Rt. Hon. Sir RICHARD CARTWRIGHT —That I am afraid is in dispute.

Hon. Sir MACKENZIE BOWELL—I also understand that while the Finance Minister refuses to recognize the payments made to our officials, by declining to place anything in the estimates to meet them, no demand has been made upon those who were paid under similar circumstances in the Commons, and that the payments which were irregularly made to the servants of the Commons have been recognized by the government through the Finance Minister, while they have been denied to the Senate. So I have been informed.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will cause the matter to be inquired into. I am afraid there is a considerable conflict as to the actual facts, but I shall endeavour to have the matter inquired into between this and the 19th of April. Beyond that, I can say nothing at present.

Hon. Sir MACKENZIE BOWELL—If this report is concurred in, is it an instruction on the part of the Senate to pay these increases which were made last year?

Rt. Hon. Sir RICHARD CARTWRIGHT —So far as that can be legally done.

Hon. Sir MACKENZIE BOWELL—Shall we not have the same difficulty next year?

Rt. Hon. Sir RICHARD CARTWRIGHT —I may perhaps have misunderstood the effect, but I understand the recommenda-

tion to be that we shall pay them as far as we legally can.

Hon. Sir MACKENZIE BOWELL—That means not to pay them at all.

Rt. Hon. Sir RICHARD CARTWRIGHT—No, because a considerable number of them are provided for.

Hon. Sir MACKENZIE BOWELL—There are some provided for whose increases were legally made. There are others that were illegally made, and the Senate knew what they were doing at the time.

Rt. Hon. Sir RICHARD CARTWRIGHT—I do not see any other way out of it.

The SPEAKER—The motion is that the recommendations of the report be concurred in as far as the law provides for payment, and that the report be adopted.

The motion was agreed to.

The Senate adjourned until Wednesday the 19th instant, at 3 o'clock.

THE SENATE.

Wednesday, April 19, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

MANITOBA SCHOOLS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What is the actual school system now in use in the Northwest Territories?
2. Are these public, professional or neutral schools?
3. Are the separate, professional or neutral schools?
4. Does the government grant money subsidies to certain schools?
5. To what schools and what amount to each of them?

Rt. Hon. Sir RICHARD CARTWRIGHT—There are six mission schools in the far north: Sacred Heart school, Fort Providence, receives $400 per annum; St. Joseph's school, Fort Resolution, receives $400 per annum; Hay River school, Great Slave Lake, receives $400 per annum; St. Mathews Mission school, Fort Macpherson, receives $200 per annum; Herschel Island school, Herschel Island, receives $200 per annum; Fort Simpson school, McKenzie River, receives $200 per annum.

2. The payments are made on the certificates of those in charge of the schools, Roman Catholic or Protestant, as the case may be.

3. No information is demanded beyond a list of the names of the children who have attended school—the number of days in attendance, and the subjects of instruction.

4. There are two (2) schools—one at the Pas, and the other at Barrows—to which grants are made equivalent to seventy-five per cent of the teacher's salary, the conditions of the grant requiring that the teacher shall be qualified to teach in the public schools of Alberta, Saskatchewan or Manitoba, that the government grant shall not exceed $600 per annum, and that the teaching shall be non sectarian.

5. To the Pas, not exceeding $600 per annum; to Barrows, not exceeding $600 per annum.

UNIVERSAL EXHIBITION AT WINNIPEG.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government given an affirmative or negative reply to the request made in September last by a delegation from Manitoba, who desired to obtain a Dominion subsidy of $2,500,000 for a universal exhibition to be held in Winnipeg?
2. What was the government's reply?
3. If no answer was given by the government, is an answer to be given before the close of the session?

Rt. Hon. Sir RICHARD CARTWRIGHT—The government did receive a delegation from Manitoba, who made a request for a Dominion subsidy, I think somewhat larger than two million five hundred thousand dollars. The matter is now under consideration of the government.

CARRIER-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY directed the attention of the Senate, and of the government to the following facts:

On the 12th March, 1909, the Deputy Minister of Public Works sent to Mr. Decary, its district engineer at Quebec, the following telegram:—

No. 335583.

GREAT NORTH-WESTERN TELEGRAPH COMPANY.

Department of Public Works,
Ottawa, 12th March, 1909.

To A. E. Decary,
District Engineer, P.W.D.,
Quebec, Que.

Please ascertain what proportion value paid for Carrier-Lainé property part south of railway track would be; also what proportion of such value would be land, machinery and buildings. Object, to ascertain amount which would be insured against fire. Would twenty-five thousand (fifteen buildings, ten machinery) be sufficient. How much fifty feet strip for Intercolonial be worth proportionately. If necessary consult Messrs. Kennedy or Ratray, valuators of the property.

(Sgd.) J. B. HUNTER,
Deputy Minister.

Charge P.W.D.

On the 18th March, Mr. Decary sent to his minister the following telegram:—

No. 335583.

THE GREAT NORTH-WESTERN TELEGRAPH COMPANY OF CANADA.

146 MO. D. Md. 58 paid. 2 exa-Quebec.

Quebec, 18th March, 1909.

Mr. J. B. Hunter,
Deputy Minister, Public Works Dept.,
Ottawa.

Proportion value Carrier-Lainé property, part south of railway track is two hundred and fifty thousand dollars, subdivided as follows:—

Land, one hundred and sixty-four thousand dollars;
Buildings, sixty-six thousand;
Machinery, twenty thousand.

Twenty-five thousand insurance (fifteen building, ten machinery) sufficient. Fifty feet strip for Intercolonial is worth thirty-three thousand dollars.

(Sgd.) A. E. DECARY,
District Engineer.

2. On the 24th February last, in reply to an inquiry made by the Honourable Mr. Landry, the Right Honourable Sir Richard Cartwright gave, in the name of the Department of Public Works, the following figures for the valuation of the properties hereinbefore and hereinabove enumerated:

Land	$131,000
Buildings	52,000
Machines	18,000

or a total of $201,000 for the part of the Carrier-Lainé property situated to the south of the railway, as against a value of $250,000 officially established by the engineer of the department residing at Quebec.

And inquired:

(a) Why this difference of $49,000 in the valuation of the same property and given by the same department?
(b) Is there any justification whatsoever for the change which has come about?
(c) What is it?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers given to me by the department are:

(a), (b), (c).

Value of land	$164,000	
Deduct railway right of way	33,000	$131,000
Value of buildings	66,000	
Not under lease to the Canada Shoe Machinery Co.	14,000	52,000
Value of machinery	20,000	
Retained by department	2,000	18,000
		$201,000

Hon. Mr. LANDRY—The statement made in that reply of the department does not conform to the valuation made by their own officers.

Rt. Hon. Sir RICHARD CARTWRIGHT—I will call the attention of the department to what the hon. gentleman has said.

THE NAVAL SERVICE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the lists of the Naval Service been filled up and has the recruiting been finished?
2. What vessels are actually available and ready for fighting?
3. What is the number of sailors on board each of them, apart from seamen simply and their petty officers, what is the number of officers on each vessel and the rank which each of them holds?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions are:

1. No.

2. 'Niobe' and 'Rainbow'.

3. 'Niobe'—Number of sailors on the 15th March, 1911, 547.

'Rainbow'—Number of sailors on the 15th March, 1911, 206.

'Niobe'—Number of officers on the 15th March, 1911, 46, as follows:

Commander	1
Lieutenant	9
Sub-lieutenant	1
Naval instructor	1
Chief schoolmaster	1

Staff surgeon	1
Surgeon	2
Staff paymaster	1
Asst. paymaster	2
Engineer lieutenant	5
Engineer sub-lieutenant	5
Midshipman	6
Gunner	5
Boatswain	2
Carpenter	1
Artificer engineer	2
Head steward	1

'Rainbow'—Number of officers on the 15th March, 1911, 16, as follows:

Commander	1
Lieutenant	4
Staff surgeon	1
Surgeon	1
Staff paymaster	1
Engineer commander	1
Engineer lieutenant	1
Gunner	4
Carpenter	1
Artificer engineer	1

LEVIS STATION NEWS-STAND.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has Mr. Felix Pichette obtained from the Intercolonial authorities, in the Lévis station, a space where he placed a stand for newspapers, magazines, books, tobacco, &c., for the benefit of the public in general and for his own special benefit?
2. In what year did he at first obtain this stand?
3. Was it the result of regular competition?
4. At what price?
5. Since then, has he continued to occupy the same stand, from year to year, up to date?
6. At the same price?
7. If he pays a different price, what price does he pay to-day, and when was the original price altered?
8. Has he merely continued to occupy his stand, without competition, or has he kept it as the result of annual competition, in his case, always crowned with success?
9. When did the last competition take place, and when does Mr. Pichette's contract with the Intercolonial expire?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers are:

1. Mr. Félix Pichette was granted the privilege of selling books, newspapers and stationery in the station at Lévis.
2. In the year 1897.
3. Yes.
4. $520 a year.
5. Yes.

6 and 7. From the 1st January, 1897, to the 30th of June, 1900, Mr. Pichette paid rental at the rate of $520 a year—and from the 1st of July, 1900 to date, he has paid at the rate of $420 a year.

8. There has been no tender for this privilege since Mr. Pichette's tender was accepted in 1897.

9. The last tender was in December, 1897; the contract expired on the 31st of December, 1898.

Though the contract with Mr. Pichette, expired on the 31st of December, 1898, he has been allowed to continue and is still keeping the news-stand at Lévis and selling books, newspapers, etc. The rental charged originally for the privilege, as stated above, was $520 a year, but, in 1900, this annual rental was reduced by $100. In addition to the charges for rental, Mr. Pichette pays $1.50 a month, for light.

RESIDENCES OF JUDGES IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Had each of the eight judges of the Superior Court of the province of Quebec (whose actual residence, according to the information obtained from the Department of Justice had been fixed by order in council), a residence, fixed by his commission at the time of his appointment, different from that which is now assigned to him by order in council?
2. In this case, and as a matter of fact, is not the reason and explanation of the fixing of the residence furnished by the transfer of a judge from the judicial district assigned to him by his commission to another district mentioned in the order in council?
3. Why are there, among the judges of the Superior Court of the province of Quebec, eleven judges whose residence (according to the statement of the Department of Justice), is fixed neither by their commission, nor by order in council?
4. Why, for instance, are not Judges Champagne, Martineau and Weir obliged to reside in their respective districts, of Ottawa, St Hyacinthe and Pontiac, whilst Judges Roy, Pouliot, Mercier and Letellier are obliged to reside in the judicial district assigned to them:—Judge Roy in Rimouski, Judge Pouliot in Arthabaska, Judge Mercier in Valleyfield and Judge Letellier in Chicoutimi?
5. What is the principle invoked in fixing or not fixing the residence of a judge among those among whom he is called upon to distribute justice?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers given are as follow:

1. Yes.
2. Yes.

3 and 4. The reasons are not of record.

5. The fixing or not fixing the residence of a judge depends on the particular circumstances of each case.

CARRIER LAINE PROPERTY.

QUESTION.

Hon. Mr. LANDRY inquired:

1. What are the expenses incurred by the government in connection with the appropriation and acquisition of the Carrier-Lainé property, over and above the sum paid by the government to the Bank of Montreal as purchase price of the above property, also over and above the sums paid to Mr. Vien for his services?
2. What was the amount paid to the valuators?
3. To the notary?
4. Finally, what other payments were made by the government in connection with this property?

Rt. Hon. Sir RICHARD CARTWRGIHT —The answers given to me by the Department are as follow:

1. $1,194.50.
2. $983.
3. $211.50.
4.—

Labour, removing snow	$ 272 16
Overseer, J. O. Lavoie	247 54
Night watchman, L. Gosselin	226 80
Sundry payments	52 87
	$799 37
Sundry labour and outlay—	
Foreman: J. O. Lavoie, services and outlay	536 56
Watchman: O. Carrier and J. Gosselin	905 00
Carpenters, etc	146 57
Sundry vouchers—	
Globe hotel, meals	225 30
Jos. Gosselin, labour, painting, etc	161 36
Wm. Hackett & Sons, services of tug 'May'	146 25
Société de Quincaillerie	80 99
Sundry payments	141 40
	$2,343 13
Watchmen: J. Lamontagne	$ 118 80
J. Gosselin	547 20
C. Boulanger	532 40
Inspectors: J. Roberge	$ 468 90
H. Paquette	257 98
Sundry labour	35 48
" payments	37 19
Horace Dusseault (contract)	48,780 95
	$50,777 95
Test borings	1,200 50
Printing and stationery	122 17
Advertising	570 90
	$1,893 57
	$55,814 32

CARRIER-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

When did Mr. Thomas Vien, special agent of the Department of Justice, in re expropriation of the Carrier-Lainé property, make his first report to the government?

Rt. Hon. Sir RICHARD CARTWRIGHT —It was made on the 24th of December, 1908.

RAILWAY SUBSIDIES IN QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What are, in the province of Quebec, the railway companies who have earned, in whole or in part, the money subsidies provided for by the Acts 6, Ed. VII., ch. 43, section 1, 7 and 8, Ed. VII., ch. 63, sections 1 and 2, 8 and 9, Ed. VII., ch. 51, section 1?
2. To what companies, when and for what amount were these subsidies paid in whole or in part?
3. What companies have transferred their subsidy or part thereof, and, in each case, what are the names of those in whose favour the transfer was made, the amount of the subsidy transferred and the date of such transfer?
4. Of these transfers, what are those of which the government has been notified, and which were accepted by it?

Rt. Hon. Sir RICHARD CARTWRIGHT —The names of railway companies, in Quebec, who have been paid subsidies in whole or in part, as provided for by Acts 6, Edward VII, chap. 43, sec. 1, 7-8 Edward VII, chap. 63, sec. 1 and 2, 8-9 Edward VII, chap. 51, section 1 are given as follows:

Date.	Name of Compay.	Amount.	
		$ cts.	
1908	Atlantic & Western Ry. Co.	92,672 00	Paid in part.
1909	" " 6 Ed. VII, c. 43	208,896 00	"
1910	" " 7-8 Ed. VII, c. 63 (1906 & 1908)	31,334 40	"
1909	Northern Colonization Ry. Co.	68,320 00	"
1910	" " 6 Ed. VII, c. 43, 1906	153,120 00	Bal. Paid in full.
1907	Napierville Junction Ry. Co.	76,720 00	Paid in part.
1907	" " 6 Ed. VII, c. 43, 1906	86,720 00	"
1907	" "	3,996 48	"
1907	" "	6,003 52	Bal. Paid in full.
1907	Quebec & Lake St. John Ry.	3,200 00	Paid in part.
1908	" " 6 Ed. VII, c. 43, 1906; 7-8 Ed. VII, c. 63, 1908	73,472 00	Bal. Paid in full.
1908	St. Maurice Valley Ry. Co.	70,400 00	Paid in part.
1909	" " 7-8 Ed. VII, c. 63	42,240 00	Bal. Paid in full.
1907	Canadian Northern Quebec Ry. Co.	147,840 00	Paid in part.
1908	" " 6 Ed. VII, c. 43, 1906; 7-8 Ed. VII, c. 63, 1908	55,449 60	"
	" "	164,172 29	"
1907	Quebec Central Ry. Co.	55,638 69	Paid in part.
1911	" 6 Ed. VII, c. 43, 1906; 7-8 Ed. VII, c. 63, 1908	129,320 61	Bal. Paid in full

3 and 4. The Department has no record of any transfer of subsidy of the above mentioned railways.

THE LATE SENATOR FORGET.

Rt. Hon. Sir RICHARD CARTWRIGHT—Before the orders of the day are called, I would like to say a few words as to the loss which this House has sustained by the very recent, and I believe sudden death of Senator Forget. I had not the pleasure of a close acquaintance with the hon. gentleman, and therefore can only speak very briefly of his work in this House. He was a man of such extensive affairs that he was not able to attend here very frequently, and I think he confined what work he did almost exclusively to committees. Everybody who knows anything of the affairs of Canada, and particularly of the affairs of Quebec, is aware that the late Senator Forget was a man of very great distinction in commercial and financial life, and his loss, I believe, will leave a blank which will not very easily be filled. He was concerned in almost every great enterprise that has been promoted of late in his own province, and was instrumental, if I am correctly informed, in bringing a very large amount of capital from various countries for investment in Canada. Other members who were more intimately acquainted with him can speak perhaps better than I can as to his other qualities. In the very slight intercourse I had with him I found him always a very considerate and courteous gentleman, and I have no doubt other gentlemen who were brought in contact with him have had the same experience in that respect.

Hon. Mr. DANDURAND—May I be allowed to add a few words to what has been said by the leader of this House, as I was more intimately acquainted with our deceased colleague than the right hon. gentleman. Senator Forget was a self-made man. He came to Montreal from the country when he was not twenty years of age, without protection. By his own energy and straight conduct he rapidly climbed the ladder of financial success. He was not forty when he had already acquired considerable wealth and influence. He was the leading broker of Montreal for more than thirty years. As a capitalist he was progressive and courageous. He gave his help to the development of that most important basic industry, iron and

steel, when it was struggling in its infant years, and without flinching, he remained at the helm to the day when this industry was at last on a firm footing. Likewise he took charge of our tramway system in Montreal when the horse was the motive power, and he rapidly transformed it into a first-class up-to-date electric service, of which we have had reason to be proud, because it is the best on the continent. Our late colleague had a sure judgment and clear foresight. His co-operation was being sought on all sides, and his name appeared on the most important boards of our large corporations. Our charitable and educational institutions could testify to his big heart, and to his philantrophy. He was a public spirited citizen who will be missed by the country at large, and more specially by his colleagues in this chamber who benefited by his ripe experience and his sound judgment. Our profound regrets go to his family in their great bereavement.

Hon. Sir MACKENZIE BOWELL—On behalf of hon. members on this side of the House who had been perhaps more particularly associated with the hon. gentleman, I might add a few words, not to repeat what has already been said, but from a personal standpoint and from the position of a legislator. Every one who has ever come in contact with the deceased senator must have formed a very high opinion of his character financially and intellectually. I speak of him more particularly as I found him on the different committees of which he has been a member. His sound judgment has always commanded the respect and attention of those who were on the committee with him whenever he expressed an opinion, particularly upon financial matters. Personally, I must confess that I feel a very great loss in the demise of the worthy senator. Ever since he has been a member of this chamber it has been my good fortune to be personally on the most intimate terms with him, and I have always found him kindly and courteous in all his intercourse with every one with whom he came in contact. When I say that, I do not confine it to those who were politically allied with him, because I believe there is not a senator on the other side of the House who did not hold personally the same high esteem of the hon. gentleman as we on this side. It was with deep regret that I saw the notice of his demise. When he left the Senate, the last thing he did was to send for me to shake hands and inform me that he was going to cross the ocean in the hope of benefiting his health, and every man who knew him, I am certain, wished him God speed and hoped he might return restored to his usual robust health. However, human experience has shown that we know not to-day which of us will go to-morrow, and all we can do is to speak well of those whom we have known and whom we respect, and to look forward to the time, because there is no use mixing matters—when some of us shall have to follow in his wake. I deeply regret, as I am sure every one who has had the pleasure of his acquaintance regrets the loss which the Senate and the country, and more particularly the city in which he has lived all his life, have sustained in the death of the hon. gentleman.

VOUCHERS OF THE SENATE.

CONSIDERATION OF MESSAGE POSTPONED.

The Orders of the Day being called:

Consideration of the message from the House of Commons requesting that the accounts and vouchers of the Senate for the fiscal year ending March, 1910, be transmitted to that House.

Rt. Hon. Sir RICHARD CARTWRIGHT—I move that this order be discharged, and that it be placed on the Orders of the Day for Tuesday next.

Hon. Sir MACKENZIE BOWELL—Is it the intention of the government to delay the connideration of this question indefinitely? We are putting it off without expressing any opinion on its merits. It strikes me that, in justice to ourselves, some disposition should be made of it so that it would be struck off the Order Paper, either by letting it drop or dealing with it in some other manner.

Rt. Hon. Sir RICHARD CARTWRIGHT—My hon. friend is right, but the matter was more or less under consideration of one of the committees of this House who

were concerned in it, and I have not yet been able to obtain the report.

The motion was agreed to.

SECOND READING.

Bill (G 2) An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. De Veber.

HOURS OF LABOUR ON PUBLIC WORKS BILL.

DEBATE CONTINUED.

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading (Bill 3), 'An Act respecting the Hours of Labour on Public Works.'

Hon. Mr. ELLIS—When the debate on this question was introduced in the Senate, I made the observation that there was no necessity to send the Bill to a special committee to be examined, inasmuch as there was ample evidence, as to whether the measure was desirable or not desirable, in the book of evidence upon the questions submitted to the House of Commons. The year before last, or the latter part of last year, I think the year before last, when the matter was before the House of Commons, a committee was appointed with power to take evidence. They took the evidence of actual workingmen, and of men who had given the subject study, and it is all embodied in the report submitted to parliament, making a book of several hundred pages, and there are statements in it, which according to the opinion or feelings of any hon. gentleman, would sustain whatever view he might take. Hon. gentlemen have all received from the different labouring societies throughout the country letters setting forth the views of these organizations upon the principle contained in the measure. The greater portion of them view the measure with satisfaction; some of them are opposed to it, but the opposition is rather from the point of view that it does not go far enough and therefore is not a perfect measure. The labour people in the country are divided into many sections, and they have various views as to how far we should regulate the matter of the number of hours of employment for working men. While some have very drastic resolutions, others are more moderate and take more reasonable views of the situation. All these views are represented in the testimoney before the committee, and any hon. gentleman who is opposed to the Bill will no doubt find some statements in this book to sustain his view. The work has been very thoroughly done, and it will afford some satisfaction to peruse it. The hon. gentleman from De Lanaudiere (Hon. Mr. Casgrain) referred to the fact that there appeared to be some feeling in the Senate against this measure, and perhaps there is such a feeling against measures of this kind, which seek to change the ordinary course of business. My hon. friend from Halifax (Hon. Mr. Power) is perhaps not of that mind, but argued the legal side of the question, and found that according to judgments already delivered the measure was unconstitutional, and for that reason we should oppose it. The hon. gentleman from De Lorimier (Hon. Mr. Dandurand) was able to quote an opinion on the other side, and at any rate to point out that the argument of my hon. friend from Halifax could be questioned if not refuted. For these reasons, a layman like myself, is left in some doubt upon that point. It may be said that we have to meet the case of men coming to parliament and demanding the passage of an Act which will regulate the hours of labour so far as these are in the control of the government in the work which it gives out, either to a person acting for the government directly, or for the contractor. I would not be surprised if generally the feeling of the Senate were against any such legislation, because since time began, roughly speaking, the civilized and uncivilized world could be divided into two great bodies, the men who work and those who do not; but the great body of the men who work usually work for the men who do not work. Ingenuity and astuteness have enabled some men to capture for themselves the benefit of the greater portion of the labour employed in the world. That has gone on from time immemorial. It is ingenious and effective. In the course of the observations which my hon. friend from Wellington (Hon. Mr. McMullen) interjected into the remarks made by the hon. gentleman from De

Lanaudiere, he called attention to some work done by bricklayers, contrasting the English bricklayer, and the American, one against the other. The illustration by bricks is always a dangerous one for the capitalists to use as against the workingman, for one of the greatest strikes in human history, profane or sacred, relates to bricks. Everybody will recall the first strike of which we have any record, in the land of Goshen, where the Jews were engaged in making bricks which they sold to the Egyptians, and the Egyptians only allowed them enough money to live on. When the Israelites complained, the reply of the Egyptian was: 'Well, you must make more brick, and you will get no straw. You must find the material.' We all know what followed that, the exodus of the Jews, the journey across the Red sea, and the cloud by day, and the pillar of fire by night, and the destruction of the Egyptian army. These were incidents in the story of the great strike which ended in the emancipation of the Jewish people; although, Egypt afterwards captured whole nations and flourished off the proceeds of their labour. Greece did the same, and Rome also. They captured whole nations, men of learning, and men of skill in every industry, and brought them under their yoke until the senators of Rome, the patricians, were able to live in luxury in a manner they never could have done if they had themselves to work for their living, or if they had simply the labour they could gather in from the country which they occupied. The Roman galleys in the Mediterranean sea, and surrounding waters were manned by slaves who were forced to row the boats into battle, not knowing which would go down, and they were very badly treated if the Romans were defeated. This is aptly referred to by one of the poets who speaks of the galley slave who went scourged at night to his dungeon. Labour has always been forced to fight a sturdy fight, and it gains its way very slowly. Every reasonable man, if he will consider for a while the whole question, will come to the conclusion that the true solution is that labour shall be honestly and fairly rewarded, that the two orders in the state, if there be two orders, whatever the divisions may be, shall equally enjoy the privileges and results that are won by industry.

One of the most remarkable and deplorable conflicts of modern times, which arose out of the treatment of the common toiling people by the rich and the powerful of any land was that in France. The conditions in that country for wealth-getting were of such a character that the profits of the industry and of the labouring people went entirely into the hands of the upper classes. A craze for beauty, for luxurious appointments, for splendor, for gaiety, pervaded all the court and the middle classes, and was reflected in the lives of the leading people of the capital; but all the while were the sullen brooding peasantry, looming ominously in the back ground and when the inevitable crash came, it precipitated the saddest evils that ever beset a country.

In 200 years the revolution which resulted has not brought to all the people the relief that was desired. True, it soon relived the condition of the bourgeois. It is only now affording relief to the ordinary working classes in that city.

A strike a few weeks ago among employees of the government railway was suppressed by the strong hand of the Premier, but the Premier has since fallen, because he did not recognize the strength of the forces against which he was contending. My own idea is that capital and labour, instead of being in constant conflict, should endeavour to harmonize. Labour is the great creator of capital and capital should equally acknowledge the fact.

One cannot get on very well without the other. The capitalist would be of no use whatever unless he had the co-operation of the labourer, and it would be by slow work indeed the labourer would achieve great results unless aided by the capitalist, yet, unfortunately, these parties are in constant conflict with each other. The capitalist looks with anxiety and fear upon every move made by the labourer, and sees a necessity to resist. Therefore, there is not that condition of mind which enables either one of the parties to approach this great question with any fairness. We all know that the State has undertaken great things for the people. It has undertaken to edu-

cate them. It has made many provisions for their confort, and given them opportunities for the enjoyment of life, not at their command before, but that naturally of itself creates in the people a desire for still better conditions. The State is moved, no doubt, by the desire to give them better conditions, but the effect upon their minds, upon their happiness, is that it soon becomes apparent to them that they want something more, that the hours of labour are too many, hence the desire to shorten them. Can they be shortened? A great many hon. gentlemen will say off hand, 'No,' but many of us will remember that half a century ago the workingman was expected to work twelve hours a day, and did as a rule. There are places in the country yet, I presume, where the workingman works twelve hours. A man cannot be expected to do as good work in the twelfth hour as he could in the earlier part of the day. It seems to me that eight hours should be the limit for a man to work, and more than that is too much. It has been urged that the workingman should not be allowed to vote. No doubt the workingman uses the vote that was given him as much as he can for his own benefit, for the accomplishment of the designs which he considers best for the State, regarding himself as one of the great and important elements in the state. That cannot be found fault with. It is not unreasonable, and the proposition is to meet the conditions which have been created beforehand in such a way that he shall feel reasonably satisfied with the legislation. Giving him the right to vote, certainly, changes his position, and he no longer can be held within the same lines as before. The fields within which he operates now are very much more difficult, perhaps more dangerous than the fields in which he laboured years ago, not only in mining, which is a very old industry, but in a great many other occupations the workman has to run more risk for his life than he had many years ago and why? The great railway work, the tunnelling which is alaways advancing and other undertakings are hazardous. Every morning you will read in the newspaper of some terrible accidents in mines, in tunnels and sometimes in bridge building where in a great and difficult structure numbers of lives have been lost If any hon. gentleman will take the record of the accidents of a week or fortnight he would be surprised at the number of lives sacrificed in occupations of that kind. People are working on a structure in a city and an accident happens, and more lives are destroyed in one night than in a Mexican revolution lasting three months. There are many things which enter into the thought of a workingman as he deals with this question in his own mind. We have introduced women in the working field. I can remember when the employment of women was principally confined to nursing, and home work, and millinery stores perhaps. Now they compete with men in many occupations, and men do not object to that at all. One result is that the amount of work done by women adds considerably to the capital which is created, and to the wealth which is earned, and while they are better off to a considerable extent I trust and believe, yet the effect of their labour adding to the riches of the world, is a matter which must strike every person as having an influence in giving men the idea that they should not be expected to work the long hours that are now required of them for a day's pay. I want to quote an observation as to the moral effect of the shorter day—the natural effect upon the working people and I trust upon others as well. A Mr. Francq appeared before the committee of the House of Commons who considered this Bill and was asked some questions by Mr. Verville. His statement was as follows:

I am in favour of the Eight-hour Bill for three reasons; first, because it is beneficial to the men; secondly, it is in the interests of the employer himself, and thirdly, because it is in the general interest of the country. It is beneficial to the men physically because the daily work must not be so hard on the workingman as to alter his health and the source of his energy. Otherwise he will spend too much of that force and become a physical wreck before his time, and he will be placed in a position to be a burden to humanity in general and with the strain imposed upon men by the modern mechanism, I consider eight hours a day a sufficient average. I consider it morally beneficial because my own experience convinces me that when a man finishes his work early he is anxious to get home and enjoy himself with his family, and it is the means of keeping him away from bar-rooms and other places. He considers

himself then as a free man, as he is placed by a short day's work on the same footing as professional men, and in consequence he is satisfied with his lot, has an opportunty to educate himself and takes an interest in the education of his children. Ask the wife of any workingman who works a short day what she thinks of it, and you will see that they are all satisfied and are more happy than when their husbands work longer hours. I will give you an example. In my own trade, the printing line, since we had the eight-hour day, men left the crowded districts of Montreal and proceeded at once to their homes in the suburbs, and were not loafing any more on St. Lawrence Main street, but at four o'clock in the afternoon when they quit work they went home, and the moral standpoint of our men has gained fifty per cent. The proof of it is that the meetings of our syndic are now peaceful, and we do not see any more men under the influence of liquor making a noise, advocating trouble and fight, because they are satisfied with their lot. This can be proved, and as a result there is harmony and peace between our master-printers and the compositors.

It is in the interests of the employer, because it can be shown by example and proof that the production of a man working under a short day (say eight hours) is equal, if not superior, to that when he is working nine hours and even working ten hours. He has had a good rest, feels in a better condition to perform his daily duty, and he is in good physical and moral condition, and can maintain his working capacity to a full extent and produce the same amount of work; on the other hand my own experience proved to me again that the standard of the work performed under such conditions is of a superior character. I am always speaking, of course, of my own trade. My argument is so true and correct that when the Typographical Union introduced that eight-hour day in Montreal three years ago, I must say that I negotiated myself the agreement between the Master-Printers, Board of Trade and the Typographical Union, although I was an employee myself, and we cut down the working hours from 54 to 48. . . . It is all very well for employers to say that an eight-hour day is going to kill business, but let them try it. Put it fairly and I am convinced that they will have the same results as we had and that they will find out that a short day is in their own interests, because it is a saving in light and heat expenses. Let them realize that when their men are working a short day, their foremen, office men and themselves will come to work at the same time as their workingmen, and the result will be first a saving of lost time, because there will be more surveillance on their part, consequently more work done, and secondly men are men, and so long as workingmen see the bookkeepers and office men and even the boss himself start work at nine o'clock when they start at seven, there will be dissatisfaction; try to place employers and employees on the same level and there you have sympathy and friendship between capital and labour. I know some of you gentlemen will think this is radicalism. No, it is my own experience of the labour question that proves to me that there is always a possibility to have these two elements meet and agree. I must confess that, while as a member of the Jacques Cartier Typographical Union of Montreal I was negotiating the eight-hour day, at the same time as an employer I was a little afraid myself of the consequences regarding my own business. I still confess that I thought for a moment I should have my customers pay for the extra burden the short day would impose on me; but, to my surprise, the production at my place remained exactly the same; my prices did not change, only in some instances very slightly and I am making more money than I ever did. Of course, to be honest and frank with you, Mr. Chairman and gentlemen, I must say that the effect of the eight-hour day for me was first of all to have first-class machinery, to buy an extra supply of type and labour-saving devices, to enlarge my plant so as to give better conditions to my men, and since then I make it a duty to have either my partner or myself to open the door, to be first in and the last out.

Mr. Francq went at some length on the same lines, but that will give an idea of the matter. He is now a printer, an employer, and he says when that change came about he was seeking to change the hours of labour from ten hours to eight, a change which was carried, and which is now the rule among the printers all over this country. I am in favour of the eight hour day myself because I am enjoying it. When my chance comes I work only eight hours. They had in Ottawa last February a gentleman from Halifax, Professor Magill who spoke upon the subject before the Canadian Club and what he said was by agreement put into the evidence. He views the idea favourably so far as it affects the workingman, but he is doubtful as to the financial effect. He said:

I have talked along this line to-day in order to illustrate the one point I want to make. The one I want to make is that so far as I am concerned, if the day could be shortened for the workingmen of Canada, without closing mines and mills, without creating unemployment, without making matters worse, every humanitarian interest of the working classes of Canada requires that that Bill should be passed. Further, if the day could be shortened without hurting the productive work of this country, without handing ourselves over to the tender mercies of others, or compelling us to protect ourselves, by the very doubtful method of exaggerated tariffs, it would be not merely in the interests of all the people of Canada because a nation to-day must be broad based upon the masses of the people. We cannot have at the base of this country a large mass of men growing up like machines, unintelligent, unobservant, unequal to the duties of citizenship, demoralized—we cannot have such a population at the base of this country to-day without producing amongst all the classes of this country immoralities of the worst kind and national inefficiency of this

most fatal kind. The welfare of the people of the upper classes, if I may use the word, the welfare of the whole people of Canada, is dependent upon having the very best conditions, industrially, educationally, and in every other way amongst the working classes, and if we could improve their position to any extent whatever, by shortening the working day, it is the bounden duty of every loyal citizen of this country to support that legislation and the sooner it is enacted the better.

But my point is this: The worst thing in the whole discussion of labour matters is the tendency to make general statements. . . We must in this matter distinguish between industry and industries. . . Long hours are bad, very bad, the progress of civilization means a shortening of hours. There is no country civilized where the hours are very long, speaking for the mass of the workers. We must shorten the hours but we must recognize that it is a matter of industrial evolution. Legislation must await that evolution. If we can hasten it here and there we ought to hasten it but if we go ahead of that industrial evolution, we will merely rush to disaster for ourselves and for the working classes too.

It will strike one at once that if that view was a fair one as to the general condition of the working man, he might fairly and reasonably demand shorter hours than he gets; but if bringing that into effect would so disarrange the whole system of the various industries, it might be unwise to put it in force all at once. But the Bill before parliament does not do that It merely applies to certain work which is to be done under government contract, or under persons selected by the government to superintend work, and that is a very short step along the way. My own idea, and I have passed through various stages in my mind as I have endeavoured to wrestle with this question, was against that view as it passed the lower House, because I thought it did not go far enough, but on the suggestion made by Professor Magill, of Halifax, and as agreed upon among other writers on the subject, it is perhaps better to take the smallest step first and go along as best we can, giving such advantages to the men as we can give them without materially interfering with the ordinary course of business. I know very well the argument that is used, that in doing this you disarrange other industries, or you may disarrange a particular industry. For instance in the case of a man who is building for the government under contract, and building also for a private individual or a company under contract, there may be a clash in the work that would be very troublesome for him. That might be so; but he would have to get along with that trouble as best he could. It is not an insuperable obstacle. There are troubles in whatever we do in this life, and it would not do that parliament should hesitate to take a step in the right direction, simply because somebody might be injuriously affected. It seems to me that one of the practical troubles which beset a question of this kind is that the change taking place in the carrying on of an important work, particularly in a large work where a vast amount of money is invested, in factories, developing all sorts of industries, has the effect of removing the employer from his workmen, and the workmen from their employer; that is to say the man who is furnishing the money to build a house is not the man who employs the labour. Labour is now flesh and blood, but the men who are engaged in a great part of the great works which are going on, are men who put their money into the enterprise, they buy bonds, they lend capital to organizations of various kinds, and no longer does the man who has furnished the means for building, employ the workmen at all. My hon. friend from Hastings (Hon. Sir Mackenzie Bowell) is engaged in the same business as I am. We meet our employees every day, and are interested in the condition of their lives and families, and there is a relationship in that way between the employer and employee which no longer reaches the vast number of men who are engaged in working, and building great enterprises. Therefore, the sympathy which once existed between the employer and employed has very largely ceased to be of the effective character which it was years ago; and that, I think, must considerably prevent the free and full understanding between the parties of all the differences. I notice a constant tendency amongst working people towards socialism in various forms, and I sometimes think the capitalist himself, the man of means, is to a great extent responsible for it. I do not know whether it would be a good parallel to refer to the case of Ireland, where the owner of the soil lived abroad, and all he cared as regards his tenants was to get as much

money as he could out of the land, and the agent had to extort all he could from the tenants, and pay it to the landlord on time. That is the way now with those who own a large portion of the money employed in great undertakings, and we cannot always understand the feelings of the workingman as to that, nor can we fully appreciate the motives which induce him to rebel against his existing conditions. I think therefore that capital should make some effort, I scarcely know in what direction, to meet the growing demands of the workingman; but one thing that can be done in that direction is for the Senate to pass this Bill. It is a very simple Bill—almost too simple for me to occupy so much time talking to the House about it; but it is merely to require the government to do certain things with regard to public buildings, and to fix the hours of work on such buildings. Now, the House of Commons has passed the Bill. I will not inquire deeply into the question whether it is a government measure or not, although my own constitutional view, so far as I have a constitutional view on the question, is that it is really a government Bill. It passed the House of Commons by consent of the government, guided right through its various labyrinths by a member of the government, and at any rate passed by a House of Commons which supports the government. That may, or may not affect the minds of hon. gentlemen here, but it is a reason, I think, why the Senate should not hastily reject a measure intended to help the working man in the struggle which is going on, and which really does not affect at any rate a great body of people who employ men for eight hours a day, or for ten hours a day, except that it may in time lead you to look with a more moderate view upon the demands of labour. I rest my case for the passage of the Bill, first, on the ground that it is a comparatively simple measure, and a step in the direction of making for the eight hours a day. I am sure we all ought to be glad to think that the works of the country that are to be done can be carried out by an eight hours a day system. I observe that under this Bill all work over eight hours is to be paid for by one and one-half rate per extra hour over the rate paid for the full day. I do not think that is a good plan. I am sorry the working man put that in, for the reason that when a man works eight hours he is not as good a man during the ninth or tenth hour. Why should he be paid one and a half the rate he is paid for the eight hour day work? That does not seem logical, and I do not think the men would themselves contend that it is. But that does not affect the main question as to whether the eight hour day should prevail.

Hon. Mr. BEIQUE—Would you deprive him of his right to work more than eight hours?

Hon. Mr. ELLIS—No, I think he should work as long as he pleases. If all my men work eight hours a day, and if we have to employ them for extra time, they cannot do the same amount of work in the extra ninth or tenth hours as they can early in the day. But I think the claim set up by the working man that a man working 48 hours in the week will do just as much work as if he worked 54 hours is correct. A man will go out Saturday afternoon feeling a great deal better after he has worked eight hours a day for the week, and he will have felt better during the week.

Hon. Mr. CLORAN—I feel under a deep obligation to the honourable member from St. John (Mr. Ellis). I have listened to his exposition of this subject with heartfelt appreciation. This question has been before the Senate for some time, and it has been discussed from different points of view. Some points of view did not appeal to my sense of justice, nor to the sense of the vast majority of the country. To-day we have had not only a sympathetic explanation of the measure so far as its principle is concerned, but what I consider a most profound and sound explanation of the whole question, one that appeals to the human heart, for it means the uplifting of human nature. I am sure that a vast majority of the working people will be deeply grateful to the hon. gentleman for his advocacy of their case here to-day, and I regret that he has been obliged to make this exposition before such

a thin House—barely a quorum of the Senate. It is, to my mind, a most valuable contribution to our parliamentary debates, one which strikes at the root of what may be our greatness or our smallness. The honourable gentleman has taken up this question in a sense worthy of the declaration of the founder of the Christian religion, that the labourer is worthy of his hire. That sentiment permeated all his learned discourse in this House, and I consider that his speech this afternoon will lift the Senate several degrees higher in the estimation of this country. It will be read in every home of the workingman throughout Canada, and at least they will be able to say "Well, in the old Senate there is still one who thinks of us, who thinks of the workingman's wife and children, and of the sacrifices which the workingman makes not only for his family but for his employer. If I were authorized on their behalf, I would now tender him their thanks, and I feel for him the sentiment of the workingman, having been a workingman myself. not to-day, but for many a year of my life from baker's boy to farmer. It is only now I am enjoying what I may call the comforts of my labour —peace and tranquillity in this House. The hon. gentleman put the case on its true ground, and solidified it by quoting testimony of gentlemen well qualified to give opinions on the subject. While he was speaking, I jotted down a few notes on the Order Paper before me, as it was not my intention to speak to-day on the subject, but fearing that I might have to, I did so and I have here in big letters. 'Discussed from the humanitarian and philosophical point of view.' That was the impression created in my mind by the speech of the hon. gentleman, and it was so far true that he was endorsed by the evidence of Professor Magill on the question. This is putting this measure on the plane where it belongs—not on the low vulgar stratum of selfish greed to meet the demands of capital. The question is now on a plane which will affect, I say, the greatness of this country, or affect the smallness of Canada. We are a young nation, ploughing our way through the records of the world in a manly fashion so far. We have in several lines of legislation set an example to countries older than our own in the protection of human life, of the morals of the people, and in the administration of justice and so on.

To-day parliament is called upon, I will not say officially by the government. I am sorry that the government has not taken to itself the credit for this among other measures which it has brought before parliament—but we are called upon to sanction two principles. The first is the right of the majority to have their will respected. We are called upon to declare the right of the nation to healthy and moral manhood and motherhood. This Bill aims at both; it means, if it is carried by parliament, that the manhood of this country will be more healthy and moral. It means that the motherhood and childhood of this country shall be stronger and better. That is one principle underlying this Bill, and the other is that the will of the majority must be respected even by the Senate of Canada. The measure has been passed by the unanimous vote of the House of Commons. Does this Senate dare, at the demand of a few people interested in capital with false ideas about contract work, and the number of hours a workingman should have to spend with his family, to cast aside the unanimous vote of the House of Commons representing the people directly? Will this Senate dare to reject the demands of all the labour unions of the Dominion? Why, hon. gentlemen we are not such great Romans as that; we have not earned the right to brush aside the unanimous will of the people's representatives. We have no right to set aside the will of the millions of workingmen throughout this country at the demand or suggestion of hon. gentlemen who have other interests to serve. We have here to safeguard the general interests of the people. The people demand it, and it is our duty to accord it to them without grudging and without criticism; because if we criticise and reject these demands, the day of reaction will come and the people then may have their turn against the men who put aside their legitimate demands. Without any extravagance of opinion, without any ill-conceived or wrong conceptions of the

constitution, I hold that what I say is perfectly in accord with the wants of the country, and with the rights of the people and with the duty of this honourable House in meeting both. The country demands it through its representatives voting unanimously—through His Majesty's loyal opposition as well as through the government and its supporters—and are we to balk that sentiment and action, and tell them they knew not what they were doing, that we the fifteen or twenty senators out of 87 members of this House are the only ones entitled to tell the workingmen what they want and what they do not want? Even if the workingmen had not asked for this legislation; if parliament were composed of wise legislators, I say it would be up to them in the public interest to say that the manhood of the nation should not be destroyed; that it is due to the workingmen that they should have more time to spend with their families. It is due to us to save our people from wreckage moral and physical and declare that they shall not work more than eight hours a day. That would be the course of a wise parliament. We should take the lead in these matters and not be compelled by the want, the misery, the wrecked health and immoral conditions of the working people to pass legislation of this character. We should have had strength in the past, we should have had foresight enough to have offered this legislation to the working people before now. That would have been the work of men devoted to the public interest and not merely to the interest of contractors and capitalists. Not that I would ask this honourable House to make contracts of no value by breaking the conditions contained therein, but it should be understood that in all contracts for labour a man should have the right to act as the philosopher described when he said that one-third of every twenty-four hours should be devoted to rest, one-third to recreation and devotion, and obtaining information, and the other third to labour. Where is the economic heresy in that doctrine? Where is the anti-Christian or anti-Divine heresy? The Creator has said to man 'Thou shalt earn thy bread by the sweat of thy brow;' but the Creator never said: 'Thou shalt work twenty-four hours a day in 1912.' He left that to the judgment of man himself. When his bread was earned, his work was accomplished, yet we have concerns and companies and men who are grasping enough right here in Canada to exact twelve and fourteen hours work a day —from five o'clock in the morning until seven o'clock at night—in our mills and factories. All through this blessed Dominion that condition of things obtained. Not only men but women and girls, and little children ten and eleven years of age have been obliged to walk into the cotton factories at six in the morning and not leave until six-thirty at night. The same thing has prevailed in cigar and other factories where children of nine years and even younger have been employed. The legislatures stepped in some years ago and shortened these hours down from 12 and 13 to 10 and 11. What did that all mean to the poor mother at home, and to the child who was prevented from attending school because the hours at the factory were so long? Requiring a child to be at the factory at 5.30 in the morning meant getting up at 4.30, according to the distance from the home to the factory, and after the day's work was done getting home at 7.30 or 8—returning to a cold supper and without any time for recreation or companionship with the father or mother in the home. And this drudgery was going on from day to day. That went on year after year in Canada, and some such conditions are still prevailing to-day. We have endeavoured here and in the provincial legislatures I believe to limit the hours of childrens' work in these dens of industry, too often dens of corruption and dens of ill health. We have them yet in all our large centres, and what have our legislatures done for the working people? What are the laws? When laws are passed, how are they enforced? What does our parliament do? What do our provincial legislatures do to protect the health of these people and save them from becoming physical and moral wrecks which too many of them become in our large cities?

We have a serious duty to perform here to-day in regard to this matter. It is a step in the right direction, no matter what

the consequences may be in individual cases, and I am not prepared to admit with the hon. gentleman from Halifax, that it is going to disturb the economic conditions to such an extent as is dreaded by others. I understand that this law cannot be made applicable to all classes of work or to all classes of workers. It cannot be made applicable to the class called farmers. They are sometimes obliged to work from half past three or four in the morning until eight or nine p.m., but there is compensation in that. They have to work mighty little in the winter months, and they have five or six months of a vacation. This law could not apply to them. It could not apply to mills that are run 24 hours a day, but in that case I may say this—do as you do now, but do it on a larger scale. When an iron factory or sugar refinery has to run 24 hours a day without stopping, what do they do? They have two shifts, day and night shifts of twelve hours each. Let them make it three shifts. There is no principle broken by this Bill whatever. The lumbermen run night and day with shifts that go off at 5.30 a.m. until 6.30 p.m., make it three shifts of eight hours each. The result will be that you will have room for more labourers. It will not cost more, and supposing it did, the business should provide the extra cost. There is no interfering with the rights of capital in such a provision as that. They are doing it in all the large refineries where they are running 24 hours a day. They are doing it on the railroads, the biggest institutions in the country. What president would ask his railroad engineer to run his engine 12 hours a day? They have to do it sometimes under stress of circumstances, in a storm or for the want of another engineer, but as a general rule, no railway president would compel an engineer to run 12 hours consecutively. He would not be apt to do it. They probably have four shifts. What captain of a sea vessel would ask his mariner to stand at the mast head for eight, ten or twelve hours a day? He would not think of it. He would say four hours, and that is all he would ask him to work. The principle is already in existence in a number of walks of life, in trades and occupations, seamanship, the foundry, the mill, the refineries and so as bricklayers, stone masons, plasterers, painters and so on. When a good bricklayer has worked from eight o'clock in the morning until twelve, and from one until five, he is doing mighty well, but if we make this the law what do we change? That is all he works in any event, six months in the year, in Canada. They cannot work before eight in the morning by daylight, and very often in the six months they have to stop work at four or four-thirty p.m. on account of darkness. Then, if they wanted to work they could not, so there is no obligation or change of principle there. It is the same with masons, painters and the vast majority of trades. We want to have the principle consummated. The government will not, through this Bill, force any class of contractor, or employer of labour, to adopt these hours, but as far as the government of Canada is concerned, they feel it their duty, and they are ready to perform it and set an example to others. I fail to see where any injustice can be done. The hon. gentleman from De Salaberry put the question to the hon. gentleman from St. John: 'Would you prevent the labourer working an extra hour if he wanted to.' And the hon. minister replied 'no, this Bill does not prevent a man working more than eight hours.' If I feel competent to work ten or twelve hours I can do so. That is my business and not the business of the employer. But if the State found that a man was doing harm to himself and his family by working over time, they would have a right to step in and say no, just the same as they could say to a man who lost his wits 'You must be confined' but as long as the individual has the physical capacity without injuring his moral stamina, he can dispose of his labour as he pleases, and he has a right to stipulate for extra wages if he works overtime. That does not affect the principle of the Bill. This measure appeals to-day under modern conditions to the necessities of human life, and it would be all the better for the working man to have the 24 hours day divided into three shifts where it will take three men to do the work performed by one slave in the past.

Hon. Mr. DOMVILLE—Hear, hear.

Hon. Mr. CLORAN—The slave who worked until he dropped. To-day the government want to make men free, noble and worthy of the title of man, and it should be the unanimous wish of this honourable House to promote this irrespective of their personal dread and fears of what might happen to this or that interest controlled by capital. The only capital is labour. What they call capital is the interests of labour coffered and tied up by the few. Where did capital come from? Providence never thought of it, but man did. A few of us have taken advantage of the miserable position of our fellow being to take the sweat of his brow, and put it in our own cup of felicity—brew it into champagne for our delight. That is the practice of some, not in this House, but all through the world. We the innocents make good for what the hon. member was kind enough to call the ingenious minds and the ingenious men. Ingenuity of that kind does not come from the higher regions and is not celestially inspired. There may be genius, and there may be ingenuity, but it is not the task of parliament to promote it. The task of parliament is to promote the welfare of the masses, to seek the promotion of the people along the track of their moral, physical and intellectual welfare. These are things which appeal to a noble heart, and to a man; these are things which go to the uplifting of the human race, and the people of our own country, and should interest us instead of other paltry matters which occupy so much of our time. This House should stand in line with the House of Commons, and with the millions of working men lined up in favour of this legislation, and not in line with capital, for which I have every respect, but which is often ill-advised, and rooted in robber tariffs. This House should stand by this measure because it represents the vast majority of the people of this country, because it represents what the working people want for their moral uplifting, and their physical welfare, and for their patriotic adherence to the national institutions which govern this country.

Sir RICHARD SCOTT moved the adjournment of the debate until to-morrow.

The motion was agreed to.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

THURSDAY, April 20, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE CARRIER-LAINE PROPERTY.

MOTION DROPPED.

The notice of motion being called:

By the Hon. Mr. LANDRY:

March 29.—That he will direct the attention of this House and of the government to the following facts:

1. On the 12th March, 1909, the Deputy Minister of Public Works sent to Mr. Decary, its district engineer at Quebec, the following telegram:—

No. 335583.

GREAT NORTH-WESTERN TELEGRAPH COMPANY.

Department of Public Works,
Ottawa, March 12, 1909.

To A. E. Decary,
District Engineer, P.W.D.,
Quebec, Que.

Please ascertain what proportion value paid for Carrier-Lané property part south of railway track would be; also what proportion of such value would be land, machinery and buildings. Object, to ascertain amount which should be insured against fire. Would twenty-five thousand (fifteen buildings, ten machinery) be sufficient. How much fifty feet strip for Intercolonial be worth proportionately. If necessary consult Messrs. Kennedy or Ratray, valuators of the property.

(Sgd) J. B. HUNTER,
Deputy Minister.

Charge P.W.D.

On the 18th March, Mr. Decary sent to his minister the following telegram:—

No. 335583.

THE GREAT NORTH-WESTERN TELEGRAPH COMPANY OF CANADA.

146 MO. D. Md. 58 paid. 2 exa-Quebec.
Quebec, March 18, 1909.

Mr. J. B. Hunter,
Deputy Minister, Public Works Department,
Ottawa.

Proportion value Carrier-Lané property, part south of railway track is two hundred

and fifty thousand dollars, sub-divided as follows:

Land, one hundred and sixty-four thousand dollars.

Buildings, sixty-six thousand.

Machinery, twenty thousand.

Twenty-five thousand insurance (fifteen building, ten machinery) sufficient. Fifty feet strip for Intercolonial is worth thirty-three thousand dollars.

(Sgd.) A. E. DECARY,
District Engineer.

2. On the 24th February last, in reply to an inquiry made by the Honourable Mr. Landry, the Right Honourable Sir Richard Cartwright gave, in the name of the Department of Public Works, the following figures for the valuation of the properties hereinabove and hereinbelow enumerated:—

Land..	$ 131,000
Buildings..	52 000
Machines..	18,000

or a total of $201,000 for the part of the Carrier-Lainé property situated to the south of the railway, as against a value of $250,000 officially established by the engineer of the department residing at Quebec.

And that he will inquire:—

(a) Why this difference of $49,000 in the valuation of the same property and given by the same department?

(b) Is there any justification whatsoever for the change which has come about?

(c) What is it?

Rt. Hon. Sir RICHARD CARTWRIGHT—The explanation that the department give is simply this: they say that the difference between the $250,000 and the $201,000 which the hon. gentleman has alluded to, is simply made up by the $33,000 deducted against the railway strip, and the matter of some $14,000 on account of the machinery and buildings, which appear not to have been taken over. Those two sums appear to make the difference between $250,000 and $201,000.

Hon. Mr. LANDRY—Perhaps that may be correct, but if it is correct, the answer given to a previous inquiry is wrong.

Rt. Hon. Sir RICHARD CARTWRIGHT—That may possibly be. I think the present explanation, however, is correct.

The inquiry was dropped.

THE FRANKING PRIVILEGE.

INQUIRY.

Hon. Mr. COSTIGAN rose to:

Draw the attention of the government to the fact that the House of Commons post office has been provided with post office boxes, and to inquire is it the intention of the government to provide the same conveniences for members of the Senate in the Senate post office?

And also to make some changes in the franking privilege for the convenience of members of the Commons as well as members of the Senate?

He said: The first part of my inquiry relates to the convenience afforded the members of the House of Commons by post office boxes. I see no reason why the same convenience should not be supplied to members of the Senate. The other part of the inquiry relates to the convenience I suggested some years ago with regard to the franking privilege. While I had the honour of a seat in the House of Commons, I consulted a good many members there on the subject. It will be recollected when the franking privilege was originally granted, all members had a right to frank their letters in their boarding houses and drop them in the hotel boxes or city post office boxes. That led to abuses. Where the frank was initialled by a member of either House it was easy to imitate it and the boxes were continuously filled with letters which had not been franked by members. One can understand, therefore, why the privilege was curtailed, and members were required to mail their franked letters in the post office of either House of Parliament. That involves a good deal of inconvenience to members, especially those who have their quarters at a distance from the post office. They are obliged to bring their letters here, or to purchase stamps, and therefore the franking privilege is of no use to them at all. In view of the abuse that grew out of the custom of dropping franked letters in the city letter boxes, some members of the House of Commons, of whom I was one, waited on the Postmaster General, who was then Sir William Mulock, and laid before him a proposition that if we were allowed to frank our letters at our quarters by writing our full names on the letters we mailed, they might be received at any of the post office boxes in the city.

That would have been a great convenience, and the suggestion made a favourable impression upon the Postmaster General, and the deputy recommended it very strongly, and the Postmaster General thought we should go further and apply

the same system to these offices here. It would involve a great deal of additional labour to the members of both Houses if they were obliged to write their full names every time they franked a newspaper or letter. Nothing came of our suggestion, but I still think that in a matter of this kind the convenience of the members might be suitably met by allowing them to frank the letters not only in their own quarters and drop them in any post office box with instructions that the frank might be sufficient if the full name were written. There would be no danger of counterfeiting a full name. Who would run the risk of counterfeiting a name to save two cents? I do not think there would be any danger at all. The revenue would not suffer in the slightest, and the convenience of members would be greatly served.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Post Office Department have forwarded me the following reply to the hon. gentleman's questions:

(a) Such accommodation is provided by the Public Works Department. The Post Office Department has no jurisdiction whatsoever as regards the post offices in the House of Commons and the Senate.

(b) Until Mr. Costigan announces the changes he proposes, the department is unable to discuss the matter.

If the hon. gentleman would state in his question the exact nature of the changes to be made the department would be able to answer, but they cannot send an official answer, until they know what the changes are. I will call their attention to the remarks the hon. gentleman has made.

Hon. Mr. LANDRY—I call the attention of the House to the answer just given. The question is, 'Is the government to make some changes?' It is not asking the Post Office Department. The hon. gentleman called the attention of the government to the fact that the House of Commons post office has been provided with post office boxes, and inquired if it is the intention of the government to provide the same advantage for members of the Senate in the Senate post office?

And also asked the government to make some changes in the franking privilege for the convenience of members of the Commons as well as members of the Senate.

I do not see why we should be content with an answer coming from the Post Office Department saying that it is none of our business. It should be referred to the Public Works Department. I do not see why the Post Office Department take upon themselves to give an answer. I think the answer should be returned to them, and they should be told to mind their own business.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will advise them of the hon. gentleman's opinion.

CORRESPONDENCE WITH IMMIGRATION AGENT AT QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for copies of all letters written and addressed to Mr. P. Doyle, immigration agent at Quebec, by the Superintendent of Immigration, Mr. W. D. Scott, between the 1st December, 1906, and the 1st April, 1907, and the 1st December, 1907, and the 1st April, 1908.

Hon. Mr. MACDONALD (British Columbia)—The hon. gentleman from Stadacona has forgotten a custom of this House. It has been customary in making motions to explain the reason for asking the House to adopt a motion, and for a number of years my hon. friend has neglected that old custom. I think the House should be told why we should adopt any resolution of this kind or any other kind. It may be a very important resolution, but I do not think it is. It is one of those resolutions that can afford to stand, and I will move, seconded by the Hon. Mr. Derbyshire, that this motion be not now adopted, but that it be adopted this day six months.

Hon. Mr. LANDRY—My hon. friend is possibly expecting an early prorogation of parliament this summer. He wants this motion to be adopted at the next session of parliament, because parliament will be in session once more in six months. I do not know if the hon. gentleman is serious in making this motion. If he asks for information I am ready to give it. The other day I made an inquiry, asking if a certain letter

written by Mr. Scott to the Quebec agency had been posted up, asking for vouchers for any expenses incurred by the employees of the department in Quebec. I was informed there was no such letter. I desire to obtain all the letters between the dates named, so that I can place my hand upon the letter in question, and I shall then see what kind of letter it was, and what were the instructions given to the agent in Quebec. This is a matter of public interest, and every member in this House is entitled, in the public interest, to make any inquiry he likes or any motion for the production of papers. Is that a privilege only of the House of Commons? The other day my hon. friend made a motion for a return giving the number of bushels of oats, barley, and so forth, that had been exported from or imported into the country during the last fiscal year. Nobody objected to his motion. He was exercising his right. I do not see why he should deny me the same right to make this motion to-day. I think it is for him to give us the reasons why he opposes it, and not for me to suggest why I should have it. I am asking it because I want it, and that is a very good reason. I think the hon. gentleman should withdraw his motion.

The amendment was declared lost.

The SPEAKER—The question is now on the main motion.

Rt. Hon. Sir RICHARD CARTWRIGHT—Of course the hon. gentleman understands that nothing but official correspondence will be brought down.

Hon. Mr. LANDRY—The official correspondence is all that can be obtained.

The motion was agreed to.

MONEYS PAID BY DEPARTMENTS.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing, year by year, from July 1, 1896, to March 31, 1911, the sums paid by the public departments to Archer & Company, merchants, Quebec.

Hon. Mr. MACDONALD (British Columbia)—I make the same motion with regard to this resolution also. The hon. gentlêman spoke of my making a motion the other day for an order of the House. I did make a motion and I explained the reason why. In asking questions, the hon. gentleman is within parliamentary practice; but I think he is now outside the lines of discussion and proper feeling in this House. For the last three years he has been incessantly getting up five or six times every day the House met, and the House has been exceedingly forgiving and long suffering towards the hon. gentleman. The whole House is sick and tired of seeing my hon. friend rise the way he has been doing day after day. If those motions and questions are for private purposes only or to feed the newspapers, they should not appear on our journals. If they are of public importance we should know what that importance is. We should know during the last three years what the hon. gentleman has done in stopping abuses, in purifying objectionable schemes, in doing anything to uplift Quebec, or the country, or the Conservative party. That is my reason for moving in this matter.

Hon. Mr. DANDURAND—Before we vote on the amendment, I feel that it is pretty hard to deny a member the absolute right of calling for papers and information. If after the mountains of information which the hon. gentleman has obtained in the last three years, which should be directed towards assailing the government in his part of the country, he does not succeed in carrying more seats than he did at the last election, I intend to try and check the work he may do in the next parliament on the same line.

Hon. Mr. POWER—There is just this point first. This motion asks for an order of the House for a return of all sums paid from July 1, 1896 to March 31, 1911. I think that is barred by the statute of limitations. I really do not think these motions should go back of the present parliament. I do not wish to interfere with the hon. gentleman's freedom of action, but I appeal to his sense of what is proper. I think he should have limited his return from 1908 instead of 1896, because the preparation of returns of this kind imposes a great deal of work on the clerks in the de-

partments, and I do not see what value the information can be as to what took place back of 1908 unless it is from a political point of view.

Hon. Mr. CASGRAIN—As the hon. gentleman from Stadacona is so very industrious, might I ask him if it would not be possible to find all the information he seeks in the Auditor General's Report?

Hon. Mr. LANDRY—Not all.

Hon. Mr. CASGRAIN—I do not believe that any amount of money is paid to any firm or individual that does not appear in the Auditor General's Report.

Hon. Mr. LANDRY—I will compromise; I will put it from 1908—from the beginning of this parliament.

Hon. Sir MACKENZIE BOWELL—Of course the hon. gentleman has a right to comply with the request, but I am not prepared to admit the rule laid down by the hon. member from Halifax. Every senator has a right to move for information, no matter how long it may take to have a return prepared, or whether it entails a great deal of labour on any department. What the House has to consider is whether in the interest of the country certain information should be laid before it, and if it be thought in the interest of the country to show what the conduct of the government has been, the return should be produced. I rise to lay down the principle, because I thought of moving in another matter to ascertain what sums of money have been paid by some of the departments to certain persons ever since the accession of the present government to power. My object in doing so is to make a comparison with payments for a similar purpose made during a like period by the late government. If I were to assent to the proposition laid down by the hon. member from Halifax, I should debar myself from that right, a right which I claim to be the inherent right of every senator.

Hon. Mr. POWER—I did not say that the hon. member from Stadacona had not the right to do it. I appealed to his good nature and better judgment not to do it, and the hon. gentleman was good enough to say that he would accept my suggestion.

Hon. Sir MACKENZIE BOWELL—I accept the explanation.

Hon. Mr. POWER—I was not laying down a rule; but I may say this with respect to returns brought down by the present government and those brought down by the late government: my hon. friend on my right (Hon. Sir Richard Scott), when he led the opposition in this House, very often moved for returns and information—not quite as often as the hon. gentleman from Stadacona, but still occasionally—yet moderate as his demands were, they were rarely complied with. The government did not oppose the motions, but they did not bring down the information.

Hon. Sir MACKENZIE BOWELL—We are bound to accept under parliamentary usage the statement of the hon. member, but he will excuse me if I modestly express my dissent.

The motion was amended and adopted.

THE QUEBEC BRIDGE.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing, year by year, from January, 1, 1907, to March 31, 1911, the sums paid out of the Dominion Treasury to Mr. Ulric Barthe, publisher, ex-secretary of the bridge company, translator, &c., for his services as such or in any other capacity.

The motion was agreed to.

THE HAMILTON DIVORCE CASE.

MOTION.

Hon. Mr. KIRCHHOFFER moved concurrence in the 21st report of the Standing Committee on Divorce, to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence.

Hon. Mr. CLORAN—I should like to call attention to one or two more facts in regard to this question of divorce. I might do so on a question of privilege, but that is not necessary now. I call attention to the fact that there is no longer a divorce committee in this parliament. I hold in my hand a newspaper which declares to

the people of this continent and the world at large that the Senate Divorce Committee has been extinguished and has been replaced by what they call a 'Kirchhoffer Committee.' The letter to which I allude appears in the 'Boston Transcript,' one of the most noted, and one of the best authorities in the United States as an exponent of public opinion. The letter is written by one E. W. Thompson, correspondent of the 'Transcript,' probably one of the ablest public writers on this continent. He has helped to build up the reputation of many a public man not only in the United States but in Canada. He is now endeavouring to build up the reputation of one of our honoured colleagues, and to give to one of the most important of the committees of this House, the hon. gentleman's name. His effort is not of his own initiative; his effort has been hatched by outside influences, for he never could in the preparation of this document have quoted word for word a debate of this honourable House and practically made it his own correspondence. I have read this document carefully and have shown it to people who are able to judge what it means, and where it came from, and the result of my observation and study is that it has practically come from one of our honoured colleagues. The heading of the article in very large type is 'As to Divorce in Canada.' The second line of the heading is 'The good work of the Kirchhoffer Committee.' The third heading is 'Record of the Course of the Dominion Senate,' and the fourth and last, but not the least important line is, 'Despite peculiar religious difficulty.' In the face of these declarations, I asked myself what was the object of putting this before the public in such a substantial journal as the 'Boston Transcript,' and by the pen of one of the most accomplished writers in journalism. I have come to the conclusion that the object in view was not one to command any undue respect or admiration for the person aimed at, but to cast aspersions and create a little ridicule on some members of the Senate. That object would be scarcely worthy the consideration of this House, but being more or less allied with that object, practically its entire entity, I feel called upon to give this public accusation a reasonable denial. In the first place, the Divorce Committee of the Senate is not known as the Kirchhoffer Committee but as the Divorce Committee. In the second place, there is no religious difficulty to impede the efficiency of the committee. We all know that religious differences do not interfere with such legislation. The difficulty lies in this fact, that objection has been found and will be found so long as the committee make reports to this House on the evidence that they do. We of the Catholic church, of the Anglican and Presbyterian church, who wish to remain true to the oath that is administered at the marriage altar, are opposed on principle and according to conscience to divorce. I have heard that oath pronounced by minister, bride and groom—those whom God hath joined together let no man put asunder—and that doctrine obtains, I believe, in all Christian churches. So it is not a question of religious difficulty, and when the attempt is made to place the difficulty on the shoulders of those who belong to the ancient Roman Catholic Church the effort is not fair. We are not the only ones who oppose divorce on principle, and according to the teachings of the church. And we who are opposed in this House, have never made any pretense that our opposition is based on any such ground. In the eight years that I have been a member of the Senate I have never made any pretense of opposing a divorce on the ground of religion. I may have challenged the principle of granting divorce by parliamentary legislation, but I have never opposed a divorce on religious grounds. What I did oppose was the recommendation to disunite a married couple on evidence which, as Mr. Thompson puts it, would not be taken as sufficient to hang a dog. These are the grounds upon which I and those who feel like me, oppose the granting of divorces, and why should it be set forth to the world that I oppose the granting of divorces because the church authorities dictate that course to me? I alluded to this matter on a former occasion, when I stated that I received no dictation from any church. I went further, probably too far—in stating that I declined to accept the

direction of the church in regard to these matters. That statement I withdraw here, publicly and fearlessly. I accept the doctrine of the Catholic Church on divorce, the same as I accept it in the case of any other violation of the commandments. I made a mistake when I said, under influences which few of you hon. gentlemen will understand, that I was under the dictation of no church. Neither am I now, but I am prepared to accept and do accept the teaching of the Catholic Church in regard to the sacrament of marriage, and I know that my colleagues of the Anglican and Presbyterian Churches, who accept the doctrines of their religious teachers, agree with me, so that when I made the statement that I was under no influence, that no direction should be given to my conduct. I made a mistake which I hereby publicly withdraw. But that does not prevent me from repeating what I then said, that with regard to legislation on this question, I receive and accept no direction from any church or anybody. My conscience is directed by the influence of the church's doctrines, and by its infallible exponents, so that when an insidious attempt is made through the press to show that the Catholic members of parliament are guided by undue influence and prejudice, that attempt will fail to accomplish what was designed. That attempt was not fair or honourable as applied to any member who believes in the absolute union of married people. The marriage tie cannot be broken by the decree of man, be it that of a Senate or any other legislative body. This Chamber, as I stated yesterday, in regard to another question, regards the welfare of the people and has a noble duty to perform. Let it perform that duty fearlessly and raise itself to the higher plane of Christlike doctrine, Christian truth and philosophic reason, and not descend to the paltry necessities of the occasion to save this one or please that one. That is beneath the supreme dignity of the Senate, and counter to the duty of a wise and honourable legislator. This matter is more serious than some may think, but again I say on this question, as I stated yesterday of the labour question, the vast mass of the people entertain the same sentiments that I express. A man representing thousands and tens of thousands of workingmen throughout the country, said to me to-day: 'Oh, senator, we feel like you, but if we had the opportunity and power to express ourselves on the floor of the Senate, our cause would be better advanced' And my answer was simply this: 'My dear sir, often I am alone in advocating these causes which I think make for the righteousness of a nation, for its spiritual and physical welfare, and although I am met with a deaf ear in this honourable House, I know I have an open heart and open ear in the people of this country. I know when I leave this Chamber that the sentiments I express find an echo in the corridor, in the gallery and in the hearts of men who have no paltry low interests to serve, but rather the uplifting and the bettering of human conditions under a wise law guided by Christian principles.' That is the position I hold in this honourable House, and will hold until God takes the breath out of my mouth. I care not who may be pleased or displeased in regard to this or other similar matters and I know I displease some. I know there are senators here who say, 'Simply because Senator Cloran advocates this we will vote against it.' My line of conduct has been challenged, not openly in this House, but in the corridors, by hon. gentlemen. They have not the courage of their—I will not call them calumnies, but their indiscreet, uncharitable remarks. They dare not stand on the floor of the Chamber and repeat in my presence what they say one to the other. That has no weight with me when I decide in regard to matters that appeal to the highest and best instincts of man. What I want is the protection of the family in its marital relations, the protection of the family in its dealings with capital and the employment of labour. I am here for that purpose and nothing else. I am not here to boost stocks or to secure subsidies for this or that company, or to have laws passed to enable the wealth to accumulate in the hands of the few. That is not my mission on earth. I am here to stand for what is right and just and no extravagance, for Christ has said 'The poor will always be with you;' but in the name of

the same Redeemer, let us not make the poor poorer, or make poverty more miserable than it is. Holding this position in regard to such matters, I deny the chairman of the Divorce Committee the right—and he can repudiate my statement if it is not true—to have published in the 'Boston Transcript' and copied into the papers of this continent what he had published on March 31.

Hon. Mr. WILSON—Why does the hon. gentleman not read it so that we will know what it is?

Hon. Mr. CHOQUETTE—It is too long.

Hon. Mr. CLORAN—It is a column and a half.

Hon. Mr. DANDURAND—The hon. gengentleman is travelling pretty far away from the matter under consideration, which is the Hamilton divorce case.

Hon. Mr. CLORAN—I will keep as close to it as the hon. gentleman does. I am referring to the public print, which takes from the Senate one of its committees, namely the divorce committee. We have no more divorce committee, it is 'The Kirchhoffer Committee,' and the correspondence under the inspiration either of an archangel or of the chairman of the committee, one or the other, stating that Senator Kirchhoffer was a delightful Irish gentleman, a descendant of a Dutch officer, who came over with King William to conquer England and Ireland. I always thought that the name was not very Irish, but I never dared question it until he tells us himself that he is a delightful Irish gentleman, the descendant of a Dutch officer brought over with King William.

Hon. Mr. POIRIER—I again claim Senator Kirchhoffer to be a Frenchman, and I will give proof of it.

Hon. Mr. CLORAN—You will be giving it against his own pedigree.

Hon. Mr. POIRIER—No later than last month, one of his own name was decorated in Paris as being the most expert swordsman in France at the present time.

Hon. Mr. CLORAN—The chairman of the divorce committee is the best shot in the Northwest to-day.

Hon. Mr. DERBYSHIRE—The hon. gentleman has no idea that the senator from Brandon wrote that article?

Hon. Mr. CLORAN—I put it to him to deny it. If he denies he gave a copy of the Senate Debates to E. W. Thompson, I have nothing further to say. Then I will deal with Thompson. The article is simply a reproduction of a debate that took place in this House on the 22nd and 23rd of March.

Hon. Mr. YOUNG—The hon. gentleman cannot refer to that debate.

Hon. Mr. CLORAN—I am referring to a public print. This delightful Irish gentleman, descendant of a Dutch officer, came over to Ireland to do what? To take our churches and rob our lands. That was the object of King William and nothing else, and he almost succeeded as well as Cromwell, who went to Ireland to send all the Irishmen to hell or to Connaught. He sent mighty few to hell, but he sent a lot to Connaught, and they are there yet. This gentleman goes on to depict me as a descendant of one of the O'Clorans, the first who carried his pouch and hunting bag. I do not deny that the occupation would be a healthy one, but I deny his right to hold me up, a colleague of his, before the public opinion of this country and the world as any vassal or slave of his or his ancestors. We were there before the Dutch officers came, and we have the lands and the estates, the castles, the presbyteries and the manses, and when an honoured colleague holds me up to ridicule he must have some ground to do it on, and in this case he is travelling in a bog where he travelled often before. Of course, he admitted my ancestor gave him a good meal. Oatmeal porridge, boiled potatoes and sour milk comprised one of the meals that the Dutch officers got at that time from the Irishmen. What did they have to do when they came to Ireland? They seized everything in sight. Now, the hon. gentleman made a false statement when he tried to hold me up to ridicule before the public

opinion of this country. The O'Clorans were supposed to be some of the descendants of the kings of Ireland. Well, better that than to be the descendant of a Dutch officer and to call himself 'a delightful Irish gentleman.' There is no man in this House or in this Dominion who can challenge the virtue, the courage, the faith of my ancestors, or their honesty, and when the hon. gentleman dares do it, he gets his answer, and he gets it now. I have nothing to say against his ancestors, he admits they were Dutch—an Irish Boer. They have African Boers down below——

The SPEAKER—May I call the attention of the hon. gentleman to rule 46, which says:

All personal, sharp or taxing speeches are forbidden.

Hon. Mr. CLORAN—I had finished when the hon. Speaker rose, but the accusation is so broadcast, covering an entire continent, that I feel it due not only to myself that I would oppose it, but I feel it due to my ancestors, who are in their graves, and to my children who are coming after me, that this slur, or would-be slur or ridicule, should not pass unanswered. As far as I am personally concerned, the matter would have passed over me the same as water over the back of a duck; but other interests have compelled me to give the hon. gentleman his answer to his face, and in a place where it ought to be given to meet this production of E. W. Thompson's in the Boston 'Transcript.' As far as the Bill is concerned, in this case I am not going to enter any formal protest. I shall leave it to the House if they have read the evidence to cast their verdict according to the evidence. There are things in this report which should never have been there. There are assertions and recommendations which should never have been in any report of a divorce committee since confederation. The merits of the case are fairly strong and would be doubly strong if the committee had reported in all cases alike in regard to this matter. That I am not going to deal with. There are members of the committee, and members in this House who are better posted in regard to this divorce report than I am. I must confess that I have not had the patience to go through the whole record. It is one of the most lengthy that we have had this session; but I had heard enough in open hearing before the tribunal itself to make up my mind in regard to the matter. I understand that members of the Divorce Committee have found fault with the report. I understand that a member of that committee has asked to have the minority report put in. Where is it? I am looking for it yet. It has not been put in. These are facts with which I am not sufficiently acquainted to make a statement, but I can assert the fact that objection was taken in the committee itself against the report which is now presented to us. I hope the members of the committee will justify their finding. As far as I am concerned, I will not discuss the matter on its merits.

Hon. Mr. WILSON—I expected that the Chairman of the Divorce Committee would seek an opportunity to explain why this report was brought in. My hon. friend from Victoria division (Hon. Mr. Cloran) is quite correct. There was a request made that a minority report should be presented, that the allegation made by the petitioner against the respondent was not proved in any particular. I still feel that. While I am upon that committee, and while I may, to a certain extent, sympathize with the attacks made on my hon. friend in reference to the charges of his co-religionists, I say without any hesitation that I have the fullest confidence in every individual member of this Senate, be he Catholic or Protestant. I believe they are prepared to do justice to all on every occasion. I give my hon. friend that credit too. I do not believe he would misrepresent a single fact, nor would he be influenced by the desire or the fancies of his church. He has a right to his belief. Every individual member is free and independent to act as he may think best, both in reference to his religion and in reference to his duty in the Senate. Therefore I exonerate him. I believe he is justified in taking the course he has taken. I can also sympathize with him because, perhaps, he has been attacked and he wishes to resent it. I do not think anybody would have any hesitation in saying that the hon. gentleman has on each and

every occasion the courage of his convictions. If he is attacked, I think he is capable of resisting and resenting that attack. I believe he is competent to defend himself on all occasions, therefore, I have no reason to offer an excuse for him in defence of the position he assumes. He is justified in many of the statements he made. I am a member of the Divorce Committee, and I made a request for a minority report. That minority report was not brought in; but I have no hesitation in saying that I did not feel justified in supporting this report as brought in by the chairman of the Divorce Committee. I do not feel that they were justified in making the report they did. I further believe that there was, to a certain extent, collusion between the party asking the divorce and the respondent. I believe there was an attempt made on the part of the petitioner to force and almost coerce his wife to consent to a divorce. What the object was, and why such was the case, I am not prepared to state. He must know his reason, but I do not think that we have any positive reliable evidence, unless it be the agreement between the petitioner and his wife for the divorce. That being the case, the law virtually says that where there is any collusion, agreement or understanding between the husband and the wife, or the two parties asking for the divorce, that voids the application for the divorce. I say that there is evidence of collusion. The husband time and again appealed to his wife that if she would make a full confession he would withdraw the application for the divorce. Are we to be placed in that position, to recognize an agreement between a man and his wife to procure a divorce? It would be an unfortunate state of affairs, and one that I do not think the Canadian people would be justified in adopting. It would be a vicious principle, indeed, and I have asked the chairman of the committee if he can put his finger upon a single thing in the evidence submitted to prove the crime was committed for which we would grant divorce. I say there is not. It is true that the servant girl swore to certain events, that the music teacher had been in the house and had slept under the roof, and when questioned closely in reference to it she knew nothing of the commission of adultery. Further, I say that her evidence is unreliable—she contradicts herself. She conveyed the impression of a certain condition, and shortly afterwards contradicted her statement. There has been no evidence of criminality on the part of the wife. If the husband, making an application to obtain a divorce, tries to coerce or force his wife into making admissions which she distinctly says are untrue, I say we ought not to grant it. I have supported many Bills of divorce, and consider it is a proper thing to do if the husband and wife have just cause for separation, but unless sufficient evidence is produced I do not think there is any justification for a husband to orphan his children and cast them on the public. If the petitioner Hamilton had the good case that he pretended to have, and had been suffering wrong at the hands of his wife, why did he require to put his own flesh and blood on the witness stand and try to prove the wrong-doing of his wife by the evidence of his children. Was there any justification for that? The father casts a slur upon his own children for all time to come that their mother was this, that and the other, yet he pretends to say he had suffered injustice at the hands of his wife for some time. Are we to be so lost to common decency as to permit him to brand his own children for all time with the stigma of being the children of an unfaithful mother? The fact that he could not prove his case without resorting to evidence of that kind, is sufficient to convince me that we ought not to grant a divorce to that man.

A man must be lost to all moral sentiment and to all sense of right who would charge his wife with the offence of adultry and the only evidence to substantiate it her forced confession. Why should she confess? I do not wonder at her confessing and consenting to a divorce. She wanted to get rid of a monster and avoid living with him. I think any woman would be justified in getting rid of such a husband. He makes a charge of this description and tells her plainly that if she will confess to being guilty with a certain party, and live away from him for a few months he will take her back and live with her. The sworn evidence shows he made that proposition to her. When he

told his wife that he had positive evidence of her guilt, he had none whatever. He told her that which was not true, and forced her to sign a confession which she was not prepared to make, and immediately after signing it she said she was not guilty but had made the confession for the sake of getting rid of her husband, and she told him that he might go on with proceedings to obtain a divorce and she would help him with it. She may have been imprudent, but it was innocent imprudence, if there was any imprudence at all. For these reasons I feel that we would not be justified in relieving the petitioner of the responsibility of looking after his wife and children. It would be a cruel act on our part. What is her appeal to him? She is true and loyal. We know that a noble woman will never leave her husband's side. Even under the trying circumstances to which she was exposed she proclaimed her honesty and faithfulness to her husband. Have we no respect for the tender feelings of a woman? Can we cast her aside with indifference and grant her a divorce merely because her husband asks for it? I can understand the hon. member from Victoria Division (Hon. Mr. Cloran) feeling strongly in this matter. I feel equally strong; I think it would be a crime to grant the relief that this man seeks, because he misrepresented and falsified the record of his wife when he told her he had positive evidence of her guilt. Let the chairman of the committee point out in the evidence where any act of adultery is proved? She swore that she was innocent. One of the co-respondents also swore to her innocence, as far as he was concerned, and against that what have we? We have the husband, an unprincipled man, in my opinion, in every sense of the word; we have the servant girl, the maid who travelled from the west to Toronto in the stateroom of a Pullman sleeping car with the children and with Hamilton. Is she like Caesar's wife, above suspicion? She was told by Mrs. Hamilton to leave her house. She said she would not go unless Hamilton told her to go. Was there any reason why she had to appeal to Hamilton? She knew Hamilton would not dismiss her and she refused to leave unless Hamilton told her to go.

Hon. Mr. McMILLAN—Will the hon. gentleman tell us the ages of those children. I have not read the evidence.

Hon. Mr. CLORAN—About 14 or 15. They would be eleven years old at that time.

Hon. Mr. WILSON—I am now dealing with the maidservant. I was explaining that Mr. Hamilton came from the west to Toronto in a pullman sleeping car, and they were together all the way. Do you suppose that a girl who had pure motives and high instincts of morality would be found in that position? Do hon. gentlemen suppose that a husband appealing for a divorce, as he was at that time, would feel justified in putting himself in so compromising a position coming from the west? Those children were fifteen years of age. They were twins, a boy and a girl. They were put in the box and gave their evidence. They said their little piece. It shows they had been trained, and had everything by heart so they could answer every question readily. Another child, about six years old, was called up and put in the box. I felt it was an outrage that a child of such tender years should be called upon to give evidence against her mother, and I said to the lawyer representing the petitioner, 'You surely do not intend to prove anything by this child—she is not responsible for any evidence she may give.' He said: 'We only want to corroborate the evidence given by the other children.' Here we find the husband, who claims to be pure and good, trying to cast a stigma on his own children. If the woman was as bad as he represented her to be, it would not have been necessary for him to resort to such extreme measures to establish her guilt. I regret exceedingly the decision at which the committee arrived, and I am not the only member of the committee who expressed his dissent. Unfortunately, they are not here to-day to sustain me. As a rule we take the ground that divorce should be granted for one offence only, adultery. Therefore I think the House will agree with me that this Bill should not pass. Unless we have bet-

ter evidence than has been presented in this case in support of any Bill for divorce, it should be thrown out. Why did the father of these children put them in the box to prove the iniquity of their mother? If he had the right feeling of a parent he would have sought to protect their honour. While I am favourable to divorce under certain circumstances, I am bitterly opposed to granting a divorce under the circumstances disclosed in this case. There is evidence of collusion between the husband and wife, and the chairman of the committee knows that relief should not be granted where collusion is proved. I want every member of this House to put himself in the position of a member of the committee, and ask himself would he be willing to grant relief to an applicant for divorce under the circumstances I have explained? I feel it my duty to offer this objection to the Bill and to vote against it at every stage.

Hon. Mr. ROSS (Halifax)—My views on the question of divorce have been repeatedly expressed in this House. I am entirely opposed to the rotten tribunal we have here for granting divorces. If this case were brought before a Judge of the Supreme Court, divorce would not be granted, and I think it should not be granted by the Senate. It is time the Senate reformed its method of granting divorces, which is different from the method in force in Great Britain and France. We should follow the practice of these older countries, and give up this committee tribunal that is causing so much trouble, and is open to such abuses.

Hon. Mr. CHOQUETTE—This is one of the saddest cases we have had to deal with in this House, and I ask, for special reasons of my own, and in the interest of the parties concerned, that the debate be adjourned until next week. I feel very strongly on this question, and I repeat, for special reasons of my own, I move that the debate be adjourned until Thursday next.

Hon. Mr. CAMPBELL—As I may not be here on Thursday, I desire to say a word or two on this Bill. I have always, since I have been a member of the Senate, supported the reports of the Divorce Committee, as I believe they should be supported under ordinary circumstances. The members of the Committee are doing a very hard, and a not very pleasant work, and the chairman deserves the best thanks of the House for the able manner in which he has performed the duties of that position. As a rule, I have found that the evidence submitted to the House justified the conclusions of the committee. This is the saddest case we have had before parliament, and I do not believe that the Bill should pass. One reason alone is sufficient. The man that will, in order to secure a divorce from his wife, place his little innocent children in the box to swear against the character of their mother, deserves no consideration. It is something that this House ought to condemn in the strongest possible manner. If he cannot secure a divorce without putting his little children in the box to swear against their mother's character, he ought never to have applied for divorce and he ought not to have it granted. I do not believe that the evidence on the whole warranted the finding of the committee. It is very contradictory and there is no evidence to prove criminality on the part of the respondent. The affirmation is made by certain persons, but the fact is not established, and it is absolutely denied by herself, and by the co-respondents in the case. Moreover, only about a year ago this man was willing to have a reconciliation. The whole evidence goes to show that at the meeting in the King Edward Hotel in Toronto, they did come to the conclusion to be reconciled, and he wrote to his wife afterwards signing the letter, 'Your loving husband.' All the evidence goes to show that there was a reconciliation. The divorce proceedings were immediately stopped, and were not renewed until this year. As far as I can read the evidence, I do not think it justifies the conclusion of the committee, patient and careful as they are, and thorough in their work as they have been in the past. I give them all credit for it but in this case they have brought in a verdict that, in my judgment, is not justified by the evidence. Anyway, I appeal to this House that a man who is so low in character that he would come

all the way from Portage la Prairie to Toronto, occupying the same stateroom in the Pullman with this servant girl, whom no doubt he is going to marry, is not to be relied on, and I do not think that her evidence should be accepted. Taking that, and the fact that he put his own children in the box to swear against their mother, I say it is simply damnable and ought to be condemned by this House. For my part, I shall vote against the report of the committee.

The motion to adjourn the debate until Thursday next was agreed to.

SECOND READINGS.

Bill (H-2) An Act for the relief of Mary Kathleen Crittenden.—Hon. Mr. Watson.

Bill (J-2) An Act for the relief of Pauline Winslow Saunderson.—Hon. Mr. Thompson.

Bill (No K-2) An Act for the relief of Nellie Bridgland Morrison.—Hon. Mr. Campbell.

Bill (L-2)An Act for the relief of Frances Whittington Truesdell.—Hon. Mr. Derbyshire.

JUVENILE DELINQUENTS' ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. CASGRAIN moved the second reading of Bill (M-2) An Act to amend the Juvenile Delinquents' Act, 1908. He said: This short Bill provides for the care of children of religious faith other than Protestant or Roman Catholic. When a child of, say, Hebrew extraction or Jewish faith is brought before the juvenile court, as the law now stands the child must be committed to the care of either a Catholic or Protestant institution, or of a Catholic or Protestant family. This Bill provides that when there are other institutions controlled by the religious denomination to which the child belongs, the child shall be given to the care of that particular institution or to a respectable family of the same faith, to be taken care of. It is evident that the absence of such a provision in the Act is due to an oversight when it was drafted. There is really no reason why we should not grant this legislation. We can put ourselves in the place of people who do not belong to either a Catholic or Protestant denomination and imagine how we would feel if we were, say in Palestine, and had to be given over to the care of a Jewish institution or a family of another faith than our own. Our Hebrew friends have a religion which is one of the oldest of those who believe in the name of God as we do. Their ideas of life are good, and we must remember that they were called 'God's chosen people.' It is only doing an act of justice to pass this Bill. The second clause provides for the appointment of suitable persons to be the juvenile court committee in charge of the child, instead of having a committee composed of either three Catholics or three Protestants. I am told we have in the city of Montreal 40,000 Hebrews. They are a law-abiding people. You seldom see them before our courts, and they form a very important part of our population. Some of them are very prosperous, and as a people they set a good example to the community, especially in the care they take of their children. I do not know of any class of the population amongst whom family ties are as strong as they are among the Hebrews, and I might call the attention of the hon. gentleman from Victoria division (Hon. Mr. Cloran) to this fact—you do not hear of divorces among the Jews.

Hon. Sir MACKENZIE BOWELL—No provision is made for the case where there are not three persons who can be selected to take care of a child. In that case the child would have to go either to a Protestant or a Catholic institution.

Hon. Mr. CASGRAIN—That can be dealt with if necessary in the committee.

The motion was agreed to, and the Bill was read the second time.

HOURS OF LABOUR BILL.

(Debate Continued.)

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading (Bill 3) An Act respecting the hours of labour on public works.

Hon. Sir RICHARD SCOTT—The principle set forth in the Bill now under con-

sideration is very simple and easily understood. Practically the question is shall parliament authorize the government, in giving out contracts or doing any work by day labour, to apply the eight hour limit. That is the whole point. The Bill contains certain reservations which are set out in clause 3, so there is a simple bald question, shall the government of Canada be permitted to do what any member of this Chamber can do. If any of us desires to build a house he can employ labour and allow the men to work eight hours a day and no longer, and if we are believers in the truth of the old statement that willing labour for eight hours is a good deal better than unwilling labour for nine or ten hours, we will approve of the principle of this Bill. Unlike the Grain Bill, there are no side issues. The Grain Bill involves a number of questions wholly apart from the Bill itself. This Bill raises the bald question, shall the government be authorized to do what they are practically now doing, what they could do without coming to parliament at all. If they gave out contracts on the terms of this Bill they might be criticised at the next session of parliament, but they could do it just as any individual could. The constitutional question does not arise. The government are not disturbing any existing contracts. They are simply asking parliament to approve of the proposition I have mentioned —to allow them to give out contracts on the terms that are set forth in the measure. It is not a new feature of our legislation. We have within sight of the parliament buildings an institution where there are 700 mechanics and labourers employed, the Printing Bureau. The government did not come to parliament to ask for power to fix the eight hour limit for the employees of that department. That has been going on since the year 1888. Both parties approved of it, and parliament authorized the government to name the hours and from time to time to change them. Under what is called the Public Printing and Stationery Act, the clause which covers that point reads in this way:

> The minister may from time to time, with the approval of the Governor in Council, make such regulations as he thinks fit respecting the discipline of the Printing and Stationery offices and of the persons employed therein, regulating their hours of attendance and rate of salary or wages and the times and method of payment thereof, and such regulations shall be enforced by the King's Printer, the superintendent of printing and the superintendent of stationery, and by such regulations fines that may be imposed upon such employees for non-attendance during working hours, &c.

I had myself an experience of ten years in the management of the Printing Bureau, and I am clearly of the opinion that eight hours willing service is very much better than nine or ten hours unwilling service, because the employees will kill time if they feel they are not being well treated. I am not speaking alone in regard to the Printing Bureau. We have now ten thousand officials in the inside and outside service, and they do not work uniform hours. Some employees are required to attend at 9.30 and some at 10. And some quit work at 4 and others at 5 p.m. Occasionally they are kept for another hour, but rarely beyond five except perhaps the staff immediately connected with the minister. The private secretary remains longer. In the outside service, there are a vast number of labourers, not included in the ten thousand estimate I have given, who cease working whenever the official staff cease working under various public works of the city. The object of this Bill is simply that the government shall not be criticised because they come to parliament and submit the case to them. They are simply keeping abreast of the age in this matter. In all countries where they recognize that labour is not treated as fairly as it ought to be, they adopt the eight hour system. This Bill was introduced in the Commons early last session, and a year ago last January it was referred to a committee of eleven and a member of the government was chairman of that committee, and their report contains the evidence taken before them. They took a large amount of evidence. There are 750 pages in this book. The committee sat for three months, January, February and March. The Bill did not pass the House of Commons last session, and it was re-introduced this session and passed and comes to us now with the approval of the representatives of the people. I question whether it would be very good policy for the

Senate, after the representatives of the people have adopted the measure, to reject it. The House of Commons has the control of the money votes of this country. The members of the Commons unanimously came to the conclusion that the proposition was a reasonable one, and they simply followed the legislation in other countries. It is upwards of 40 years since the United States government introduced the same principle, and it had some qualifications in it. Nineteen years ago Congress passed an Act on which this Bill is based. The language is very much the same, and the principles have been followed in this Bill, and, therefore, we are simply embodying what the United States adopted nineteen years ago. In addition to that, the law has been adopted in California, Colorado, Delaware, Idaho, Indiana, Kansas, Baltimore, Maryland, Miss., Minnesota, Montana and cities of Nebraska that contain populations of 25,000. Page 387 of the evidence, Nevada, New York, Oklahoma, Oregon, Pennsylvania, Porto Rico, Utah, Washington, West Virginia, Wisconsin, Wyoming. In all those states the law now submitted for the approval of this parliament has been in force for a considerable time, and I am not aware that it has ever been recalled in any of the states.

Hon. Sir MACKENZIE BOWELL—Are the provisions in the Acts to which the hon. gentleman has referred of the same character as the provisions in this measure?

Hon. Sir RICHARD SCOTT—They are practically the same.

Hon. Sir MACKENZIE BOWELL—I am not speaking of the principle of the Bill, but are the Acts as restricted as this measure?

Hon. Sir RICHARD SCOTT—Yes, the eight hour limit.

Hon. Sir MACKENZIE BOWELL—That is not the point at all. I am speaking of the extent to which it applies. This only applies to certain works under certain circumstances. Are the Acts to which the hon. gentleman has called attention as restricted as this measure?

Hon. Sir RICHARD SCOTT—I have not examined them all, but I will run over them, This Act applies to all cases where a contractor is doing the work that would involve the employment of the parties named, the workmen, mechanic and the labourer. I refer to the Act relating to the District of Columbia, and the penalties are very much higher. It is: 'An Act relating to the limitation of the hours of daily service of mechanics employed on the public works in the United States and the District of Columbia. It provides for an eight hour day, and imposes a penalty not to exceed $500 or imprisonment for one year. It provides for both fine and imprisonment. In Kansas the provision is:

That eight hours shall constitute a day's work for all labourers, workmen, mechanics or other persons now employed or who may hereafter be employed by or on behalf of the State of Kansas, or by or on behalf of any county, city, township or other municipality of said state.

That is very much wider than ours. The provision continues:

Except in cases of extraordinary emergency which may arise in time of war or in cases where it may be necessary to work more than eight hours per calendar day for the protection of property or human life; provided that in all such cases the labourers, workmen, mechanics or other persons so employed and working to exceed eight hours per calendar day shall be paid on the basis of eight hours constituting a day's work; provided further, that not less than the current rate of per diem wages in the locality where the work is performed shall be paid to labourers, workmen, mechanics and other persons so employed by or on behalf of the State of Kansas, or any county, city, township or other municipality of said state; and labourers, workmen, mechanics and other persons employed by contractors or subcontractors in the execution of any contract or contracts or within the State of Kansas, or within any county, city, township or other municipality thereof, shall be deemed to be employed by or on behalf of the State of Kansas or of such county, city, township or other municipality thereof.

Hon. Sir MACKENZIE BOWELL—Do I understand that to mean that when the government are building works under contract they are restricted in that way?

Hon. Sir RICHARD SCOTT—Yes, whether they do it by day labour, or whether they do it by contract. In the state of New York the law was passed in 1907. At first the law of 1901 was considered unconstitutional. The section reads:

Section 3. Eight hours shall constitute a legal day's work for all classes of employees

in this state except those engaged in farm and domestic service unless otherwise provided by law.

That is very much wider than ours. The question is whether a labourer would consider his lot as good a one in Canada as he would in the United States. Because under the Stars and Stripes he would only be obliged to work eight hours, whereas under the British flag he would have to work nine or ten hours as the master may order. Under such circumstances, a spirit of wide discontent would be created. In New Zealand and Australia the law is very much stronger than ours. I refer to page 361 of the evidence where we find the following:

The most important experiment made by the British government is the reduction of hours of its own employees effected some 16 years ago. The eight-hour agitation in the United Kingdom reached its climax in the early 90's; in the 1892 election the great majority of members declared themselves in sympathy with the movement. When parliament met it was urged that as a tangible evidence of sympathy the hours of labour of public employees should be lessened. After much deliberation and experimenting the government decided in 1894 to reduce the hours in the dockyards, ordnance factories and army clothing establishments to 48 a week. The number of men affected was over 43,000; of these, 24,263 employees of the Admiralty received a reduction of 2⅔ hours a week or 25 minutes a day, and the 18,977 employees of the War Office, 5¾ hours a week, or practically an hour a day.

By the Chairman:

Q. What did they do with the wages?—A. They kept them the same, that is so far as the pieceworkers were concerned. It should be noted that it was not decided to establish a uniform eight-hour day, nor even a uniform 48-hour week; in the dockyards the working day established varied from 7¼ hours in winter to 9 hours in summer, with a 5-hour Saturday all through the year. Comparatively recently, in 1905, the installation of electric light in the dockyards made it possible to establish a uniform 48-hour week throughout the year. The revised table of hours is as follows:—

Monday to Thursday, 7—12, 1.30—5; Friday, 7—12, 12.45—4.45; Saturdays, 7—12.

THE WAR OFFICE.

The results of this reduction are wholly favourable to the advocates of shorter hours. After eleven years trial, reports were sought from the two government departments chiefly concerned, and were published by the Board of Trade in 1905. The War Office, the employees of which had been granted a reduction of 5¾ hours per week.

The question was asked whether they observed that the work performed in eight hours was equivalent to the work performed under the present system. The report says:

It was also expected that a later hour of starting work would ensure greater regularity of attendance, that there would be an improvement in the physical condition of the men and an increase in their power of production. The fact that the reduction in the hours of work had not reduced the output, or increased the cost of it, in private factories in which the experiment had been tried, also led the War Office to assume that the cost of production would not be increased in their workshops. It is stated that these anticipations have been justified, and that it is clear that no extra cost has been incurred by the public on account of the reduction of hours, nor has the output of the work been diminished.

In the face of that evidence I think the Senate should not hesitate to pass this Bill. The evidence in this book is overwhelmingly in favour of the eight hour movement. We all understand the question. It is in a nutshell. There is no side issue to it. It leaves individuals and companies free to do as they please. It simply authorizes the government to do what the heads of the departments are now doing. There is no politics in it. The eight hour limit at the Printing Bureau was introduced by the former government. The present government saw no reason to change it; they found it was working well. The men were satisfied, and since that time wages have been increased on two different occasions, establishing the fact that it was the duty of the government to see that a fair wage was given to every man. People coming to Canada would be shocked if they found that our labourers were paid less than labourers are paid in other countries. Going back 60 years, I can see that the present condition of labourers and mechanics is not similar to the condition then. The sympathy between the employer and employee was much warmer and keener and the employer took very much more interest in his men. As the masses grew, a breach arose between them, wealth accumulated in Canada and in the last fifteen years it has been enormous. I recollect when I could count on one hand the men in Canada in receipt of $10,000 a year. The labourer had nothing to incite his hate of class, because in the earlier days he was receiving fair consideration, house

rent was less and food cost somewhat less. But of late years these prices, particularly rents, have doubled and trebled what they were at that time. Now, who made the money? It was the man who toiled and sweated his brow from six or seven in the morning until six in the evening for the miserable pittance that he received; but here to-day, with the enormous wealth coming into Canada, it naturally excites the feeling of the man who considers that he is underpaid. The wife and daughter of the employer are seen walking on the street with costly furs and diamonds and such like, and can we imagine that the underpaid workingman can look calmly and religiously, with the proper feeling of charity which one should have for another upon that spectacle. Who made the wealth? After all, it is the toiler and it is he who is entitled to it, and I say that as the years have gone by the wage has not increased as rapidly as it should have. What is the effect of this narrow policy of underpaying the labourer? I can recollect when there were no trades unions, and men felt they were being fairly treated. The seven and sixpence that a carpenter received years ago went much further than treble the amount would to-day, and he was not working against machinery. Take the building of the immense steel structure a few yards from where we are now sitting and we find men having to work against the power of steam. We have steam-power running up the steel girders. The men employed there are working against machinery, the invention of the present day. These things did not exist years ago and therefore there is now more risk. Men lose their lives by falling from these tall structures. What terrible risks they run. They take their lives in their hands every hour of the day when they go up two or three hundred feet and have to jump from one beam to another in this structural work. What is the effect of the classes not recognizing their duty to the masses? It is this: that it is developing a feeling of socialism that is spreading over the land. Any man who reads the literature now sent broadcast over the world, not only in the United States, but in Europe and elsewhere, will see that it is tainted with socialism.

Hon. Mr. MACDONALD (British Columbia)—Does the hon. gentleman think that any labourer works to make money for his employer? What is he working for? It is for his daily bread and not for the employer.

Hon. Sir RICHARD SCOTT—The work goes to the benefit of the employer—not much question about that. Would Rockefeller be in receipt of so many millions a year if he had not a large staff under him? Was it accumulated by the sweat of his own brow?

Hon. Mr. MACDONALD—Men are free and need not work unless they like.

Hon. Sir RICHARD SCOTT—Look at Carnegie who is preparing himself for the other world by giving large contributions to libraries, and so on, but these contributions do not compensate the workingman. We can only compensate the labourers by giving them money on Saturday night, and contributions to libraries or anything of that sort is not compensation in the right way. I think the most serious consequences are likely to arise from the spread of socialism. It means the overthrow of Christianity and the introduction of Deism. Men are bound now to throw aside the Bible, to believe that everything is natural —that God created the sun, moon and the stars, and that the development of the world in which we live has grown up itself. They cannot give you any information about it. Men become dissatisfied. They first combine in trade unions. When they cannot accomplish anything through that channel they take a broader way, and they justify means which I do not care to repeat, but you know what does arise when workmen become dissatisfied, and feel that they are not receiving fair play, and are being crushed—they revolt. The next step is the formation of the socialistic club. There are now from 75 to 80 of these clubs advocating socialism, which means the overthrow of Christianity, so that this is a broader question than the mere matter of reducing the hours of labour from nine to eight. If it is going

to encourage the belief of the workingman that he is being treated as Christians ought to be treated, and remove from him the causes of disaffection, then we are solving a serious problem, because in the last ten years there has been a wonderful spread of socialism, the cause of which is the treatment of the workingman by the capitalist. The question is, shall the government of this country be allowed, in the broader sense, to do what they have been doing in the last twenty years and what has been done day by day? Shall they compel a contractor who is putting up a building for them to observe this eight hour law? Nothing is to be gained that I can see by hesitating. The House of Commons hesitated for two years. They exhausted a large amount of time in the consideration of this measure. I am not aware that there was a single voice urged against it in the House of Commons.

Hon. Mr. POWER—Yes, there was.

Hon. Sir RICHARD SCOTT—I speak subject to correction. I do not think there was a division on it. Some members might have taken a view similar to that expressed by the hon. gentleman from Halifax, that it involves a constitutional question.

Hon. Mr. POWER—It involves too many votes. That is the reason.

Hon. SIR RICHARD SCOTT—I am glad that they appreciated the fact that the people had votes.

Hon. Mr. MACDONALD (British Columbia)—Does the hon. gentleman not think this legislation is one-sided? It binds the employer and does not bind the workingman. The labourers can say to-morrow, 'We will only work six hours,' and there is nothing to compel them to work eight hours. They will stop work, and the employer cannot get more out of them than that. If to-morrow the organized labour associations of the country wanted a six-hour day they would get it, and members of parliament dare not resist their demand, because the labourers have a vote.

Hon Sir RICHARD SCOTT—I cannot see where the contractor is injured. Before he puts in his contract he knows it is to be based on an eight-hour day. Therefore, he is not damaged. As to any future demand, we cannot make provisions for posterity. The eight-hour day will be more acceptable if it is given in an ungrudging and cheerful way. I hope parliament is prepared to so give it on the present occasion.

Hon. Mr. BEIQUE—I am afraid that the question is not approached in its true light. I perfectly agree with the hon. member from St. John (Mr. Ellis) that it should be regarded as a humanitarian and economic question. I do not believe that the interests of capital and of labour are opposed to each other. Their interests are common, and what we are losing sight of is this, that while this Bill may work reasonably well in certain cases, it is doubtful if it would be to the advantage of the labourers if the hours were limited to eight hours a day, for this reason, that in this country, unhappily, labourers can work only seven or eight months in the year, and therefore they have to earn within that period the living for twelve months of themselves and their families. This Bill would prevent the labourer from working more than eight hours a day, and the effect would be to increase the cost of living, because the article produced by that labour would be enhanced in cost from the fact that the producer must pay more wages for the production of that article, and it might place the producer at a great disadvantage with his competitors in other countries for the production of a like article. This is an economic question of the widest importance, and I am afraid that this Bill has been passed in the House of Commons, possibly in ignorance of these considerations and because they may have been afraid to antagonize the labouring classes. We should stand above such considerations. For my part I declare on this occasion, as I have declared whenever I have had occasion to speak on like questions, that I rejoice and always have rejoiced at the fact that the labouring people have organized themselves for their proteection. I am quite satisfied that if they had not done so they would not have been properly treated by capital, because capitalists, as well as every other class of society, are liable to be greedy and oppress the labouring classes, especially those

classes that do not take care to protect their own interests. I am as jealous in the protection of labour as I am in protecting capital. On the other hand, one must not lose sight of very important considerations which apply equally to the interests of labour and to the interests of capital. This Bill has a further object than has been stated by the hon. gentleman from Ottawa. It is not merely for the purpose of authorizing the government to exact from labourers not more than eight hours a day, but it is for the purpose of compelling the government to insert a clause to that effect in every contract for public works. Now, if it is proper to apply the rule to public works, it should be applied everywhere; and for my part I would not be prepared to go to that extent. It would be against the interests of labour and against the interests of the community at large. In some countries where the principle has been adopted, the legislation is to the effect that eight hours shall constitute a day's work and that any hours in excess of that shall be paid for at a higher price, generally double the regular rate. Now why should the extra hours be paid for at a higher rate? It has been properly said that one of the objects in limiting working hours to eight is because the work will be more effective, and it is claimed that work protracted two hours beyond that is not as profitable as work done during the previous eight hours. Then why pay more for the additional hours than for the eight hours? Surely it is not logical. The restriction should either be absolute, or no rule of the kind should be adopted. I ask hon. gentlemen if a law of that kind could be applied to such occupations as farming?

Hon. Sir RICHARD SCOTT—It is not to be applied to farming.

Hon. Mr. BEIQUE—I know, but why should it not be? Why should it apply to public works if it is not to be applied to other works? That is what I fail to see.

Hon. Mr. CLORAN—It is the first step.

Hon. Mr. BEIQUE—Is it the intention to give the labourers a gratuity at the expense of the government? If the hon. gentleman in front of me can advocate a principle of that kind I shall be surprised. He may be tempted to advocate legislation calculated to win popularity in certain quarters, or certain sections; but surely he has too much respect for his position as a member of this House to contend that the labouring classes should be paid gratuities by the government. They should be treated as all other citizens are treated; they should be paid fair and reasonable wages, liberal wages if you like, but they should not be set apart as a class and paid double what other labourers are getting for like occupation.

Hon. Mr. CLORAN—Is it not a fact that every employee in the Public Works Department here works only 6½ or 7 hours a day while all other men employed in wholesale and retail establishments work. 8, 10 and even 12 hours a day?

Hon. Mr. BEIQUE—It is a fact that the working classes have been able to enforce their views on the government, and also in the printing establishments. Through unions of their own they have compelled printing establishments to limit the day's work to eight hours, and to exact for any additional hours very high pay; but that does not solve the question. That does not prove that it is fair or right. I admit that there are occupations such as mining where a law of that kind should be passed, and possibly it should apply to printing too.

Hon. Mr. CLORAN—And to lawyers.

Hon. Mr. BEIQUE—As a lawyer I have, for my part, been working for 25 years of my life, not eight hours, but sixteen hours a day without imparing my health, and I do not believe the workingman impairs his health by working ten hours a day. It has been stated that working people are not treated as they were years ago. We all rejoice to know that the position of the working people has been very much improved. They live much better than they used to live, and their work is not as arduous as it used to be. Now they work with machines to a very large extent. Even in farming they plough sitting on the machine and have only to drive their horses. It is the same thing in almost every kind of occupation;

they work with machines most of the time, and their work is not as exacting as it used to be. That is no reason for adopting legislation which may have a very dangerous effect, as far as the community at large and as far as the working people themselves are concerned.

It being six o'clock I move that the debate be adjourned until Tuesday next.

Hon. Mr. CASGRAIN—The hon. gentleman from De Salaberry just now attributed some words to me—guessed something, because I did not speak when he said that I would have people working for the government get double pay. I never talked about double pay or anything of the sort. What I said was the government should be a model employer, and if any one is to give shorter hours surely it should be the government.

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman who moved the second reading of this Bill to say that it was his intention to take the second reading and refer the Bill to a committee. When that announcement was made I declined to discuss the merits of the Bill, reserving the right when it came before committee to give my opinion. Of course if there is to be a general discussion on the merits here in the House I should not like to be deprived of the right to express my opinions upon it. I do not hesitate to say that the Bill before us is about as great an abortion as was ever produced in parliament.

The motion to postpone the debate was agreed to.

The Senate adjourned until 2.30 p.m. tomorrow.

THE SENATE.

FRIDAY, April 21, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

WESTERN CANAL COMPANY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. BEIQUE, from the Committee on Railways, Telegraphs and Harbours, reported Bill (P-1) An Act to incorporate the Western Canal Company, with amendments.

He said: The amendments are for the purpose of protecting the rights of the company, as already incorporated. This Bill authorizes the building of a canal on the Rainy river, and as the Ontario and Minnesota Power Company had been already authorized to build works on that river across to Fort Frances, and had already constructed their works, a number of amendments had to be introduced for the purpose of preventing the new company from interfering with the rights and powers of the Ontario and Minnesota Power Company. I move that the amendments be taken into consideration on Tuesday next.

The motion was agreed to.

CONSTRUCTION OF DEEP WATER WHARF.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the works on the deep water wharf (for the construction of which the government has obtained large subsidies from parliament) been started?
2. What are, or what will be the length, width and height of the said wharf?
3. What is the approximate cost?
4. How have the sums obtained from parliament been expended up to date?

Rt. Hon. Sir RICHARD CARTWRIGHT—The department are much exercised over this question. They state:

The above probably refers to some work under the control of the Department of Public Works, but since the department has charge of over 1,200, it would be difficult to say which particular work is herein referred to.

If my hon. friend will be a little more precise I will give him the answer.

Hon. Mr. LANDRY—I will give another notice, with the permission of my hon. friend from Victoria. They thought it was at Sorel.

COMPLAINTS RE IMMIGRANTS RESTAURANT AT QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

Does the government intend, considering the numerous complaints which have been

made for some years concerning the management of the lunch counter and restaurant for immigrants at Quebec, to call for tenders for the keeping of these establishments according to fixed regulations, and upon conditions to be imposed by the Immigration Department?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department does not intend to call for tenders.

MONEYS PAID TO J. B. COTE.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing the amounts paid annually by each of the public departments to Mr. J. B. Cote, of Quebec, merchant, from July 1, 1896, to March 31, 1911.

The motion was agreed to.

ACQUISITION OF CHAMPLAIN MARKET.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Was the transaction made in connection with the acquisition of the Champlain market made by the government or the Transcontinental Commission?
2. What was the amount paid to Notary C. Edmond Taschereau, of Quebec, for drafting the deed of sale, and by whom were his fees paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. By the Commissioners of the Transcontinental Railway, with the approval of the Governor in Council.

2. Mr. Taschereau has not rendered his bill.

SPUR LINE TO QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. When were the construction works on the spur line connecting the Quebec bridge with the city of the same name started?
2. At what date were they suspended?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Work was commenced by the Quebec Bridge and Railway Company in May, 1904.

2. By the company in August, 1906.

BILLS INTRODUCED.

Bill (N-2) An Act for the relief of Violet Jane Dakin.—Hon. Mr. De Veber.

Bill (O-2) An Act for the relief of Hugh Samuel Bell.—Hon. Mr. Young.

THIRD READINGS.

Bill (H-2) An Act for the relief of Mary Kathleen Crittenden.—Hon. Mr. Watson.

Bill (J-2) An Act for the relief of Pauline Winslow Saunderson.—Hon. Mr. Thompson.

Bill (K-2) An Act for the relief of Nellie Bridgland Morrison.—Hon. Mr. Campbell.

Bill (L-2) An Act for he relief of Frances Whittington Truesdell.—Hon. Mr. Derbyshire.

CANADA MEDICAL ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (No. 15) An Act to amend the Canada Medical Act.

(In the Committee.)

Hon. Mr. POWER—This Bill is to amend Chapter 137 of the Revised Statutes. That Act was originally passed in 1903, with a view of establishing a medical register for Canada, and if it had gone into active operation it would have made provision for the registration of members of the medical profession, with a right to practise over the whole country. After that Act was passed, it was found that in some of the provinces there was objection to the details of the measure, and it has never gone into actual operation. After consultation between the medical councils or boards of the various provinces, an agreement has at last been arrived at, and all of the boards concur in supporting these amendments. The amendments are for the purpose of meeting the objections raised in some of the provinces, and although I do not think the Bill is quite perfect—there might be some verbal amendments made in it—still there is no serious defect in it, and inasmuch as it represents an agreement between the members of the profession throughout the various provinces of Canada, I trust that

no hon. gentleman will feel called upon to amend it, because an amendment might possibly lead to the dissent of some one provinces from accepting the provisions of the Bill.

On clause 10.

10. Section 16 of the said Act is repealed and the following is substituted therefor:—
16. The subjects of examination and the eligibility of candidates shall be decided by the council, and candidates for examination may select to be examined in the English or French language. A majority of the committee conducting the examination of any candidate shall speak the language in which the candidate elects to be examined;
2. Examinations may be held only at those centres at which there is a university or college actively engaged in the teaching of medicine or having hospital facilities of not less than one hundred beds.

Hon. Mr. WILSON—The question is as to the examinations. Should they take place at the teaching bodies, or at a separate or distinct class? If you give the teaching body the examination, there is an inducement for them to grant students the right to practise perhaps without the necessary qualifications.

Hon. Mr. POWER—The examinations are held by a board of examiners, appointed under the provisions of the original Act. The Act provides that the Medical Council of Canada shall appoint a board of examiners to conduct the examination, and that the members of such board of examiners shall be eligible for re-appointment. The clause under consideration deals only with the place of examination.

Hon. Mr. WILSON—But we have passed a clause wherein the teaching bodies have a right to prescribe the qualifications and examinations, and this enables them to name the place where they are held.

Hon. Mr. POWER—No, the subjects of the examination and the eligibility of candidates shall be decided by the council, and candidates may elect to be examined in English or in the French language.

Hon. Mr. WILSON—The members of the medical council are appointed by the Governor in Council.

Hon. Mr. POWER—Part of them only.

Hon. Mr. WILSON—I object that there should be an inducement held out by the teaching bodies, the universities, for instance, wherein they decide the severity of those examinations. The danger is that they may be anxious to pass as many students as they possibly can, and, therefore, will relax the curriculum of the standard of the medical practitioner. I am inclined to think we have some illustrations of that at the present time. Some years ago we tried to remedy this difficulty, and we found that some of the teaching bodies, the universities of some of the provinces, would not give up the licensing power. I believe that McGill was perfectly willing to relinquish its charter, but Laval would not give it up; therefore we were unable to have the license extending over the whole of the Dominion.

Hon. Mr. POWER—My hon. friend must see that under the existing Act, that we are now amending, and under this Bill the examinations are to be in the hands of the Dominion Medical Board, and no laxity on the part of any university or medical college can affect the character of the examinations, because the colleges do not hold the examinations. The examinations are conducted by a board of examiners appointed by the Dominion Medical Board, and they will see that no one gets in who is not up to the standard.

Hon. Mr. WILSON—Would the hon. gentleman explain why it is that they want these examinations held where there are teaching bodies—a university or something of that sort? The clause reads:

Examinations may be held only at those centres at which there is a university or college actively engaged in the teaching of medicine or having hospital facilities of not less than one hundred beds.

Hon. Mr. POWER—My hon. friend will see that as a matter of convenience to the candidates it is desirable that examinations should be held in places where there are a large number of medical students. It would not be desirable to hold the examinations, for, say, the province of Quebec, in a village. They should be held at Montreal or Quebec, and the same way with the other provinces.

Hon. Mr. WILSON—I could understand that hospitals are essential, but I do not see the necessity of holding them where there is a teaching body. Whether it is done with the object of providing facilities for the teaching bodies to pass more students than they otherwise would, I cannot say. If my hon. friend says that is not the intention of the clause, I am perfectly satisfied.

Hon. Mr. POWER—The natural meaning of the clause is that the examinations shall be held at places where there are a considerable number of students to be examined.

Hon. Mr. WILSON—That is not what it says. It says where there is a teaching body.

Hon. Mr. POWER—That is where the students would be found.

The clause was adopted.

On clause 11,

11. Subsections 2 and 3 of section 18 of the said Act are repealed and the following is enacted as subsection 2 of the said section:

2. Any person who has received a license or certificate of registration in any province previous to the date when the council has been first duly constituted under this Act, and who has been engaged in the active practice of medicine in any one or more provinces of Canada, shall, after ten years from the date of such license or certificate, be entitled to be registered under this Act as a medical practitioner, without examination, upon payment of the fees and upon compliance with the other conditions and regulations for such cases prescribed by the council: Provided that if the medical council of any province is not satisfied with the period of years prescribed by this subsection, such medical council may, as a condition to provincial registration, exact an examination in final subjects from practitioners registered under this subsection, and the said examination shall be held according to the provisions of the by-laws or rules of the respective provincial councils.

Hon. Mr. WILSON—Why does the hon. member limit the time that practitioners who have been practising may be licensed, to a term of ten years? If, for instance, a man had been practising nine years and nine months this would deprive him of the right of registration.

Hon. Mr. POWER—The hon. gentleman belongs to the medical profession himself, and he really ought to be better able to answer the question than I am. Subclause 2 makes a slight change in the existing law. In the Act the limit is six years, and this changes it to ten. That was one of the difficulties that arose. It was felt that a man should have been practising ten years instead of six.

Hon. Mr. WILSON—Why?

Hon. Mr. POWER—I do not know.

The clause was adopted.

On clause 12,

12. The said Act is amended by adding thereto the following section:—

24. No amendment to this Act may be proposed on behalf of the council unless previously accepted by the provincial medical councils.

Hon. Mr. WILSON—It seems hardly fair after a practitioner has been ten years in active practice that he should be called upon to pass an examination. That is something which may lead to hardship.

Hon. Mr. POWER—Clause 11 has been carried but I may say to the honorable gentleman that this is one of the changes made as a result of the opposition of the Provincial Medical Boards. It simply provides that if a medical council in any province is not satisfied with the ten years of practice prescribed by the Bill, that council may exact an examination. It does not affect the registration for Dominion purposes, but enables the Provincial Medical Board, if they think it proper to do so, to call upon the practitioner to pass an examination before he can be placed on the local register. We have nothing to do with that here.

Hon. Mr. WILSON—That may be all correct and just, but I can understand also that if there be a desire on the part of any one on the medical examining board to exclude a candidate from getting a license, that this clause would enable him to raise an objection and demand that the candidate be examined. It is no easy matter for a man who has been practising ten years to pass an examination of a technical character without preparation.

Hon. Mr. POWER—I quite agree with the hon. gentleman, but this provision has

been inserted in the Bill because certain provinces—I rather think Saskatchewan was one of them—had strong objections to allowing medical men from other provinces to come in and practise there. In order to meet the view of the province, whichever one it was, this provision was inserted. I do not look upon it as being a very statesmanlike provision, but it is a part of the bargain and we cannot very well strike it out.

Hon. Mr. WILSON—Hardships may arise under this clause, because if a man fails to pass the examination he will forfeit the confidence of the general public. Of course I do not wish to criticise the Bill at all, but if they had left it at six years it appears to me it would have been better. This Bill was probably thoroughly examined in the House of Commons, but I do not think any of the older practitioners would be able to pass the examination to-day if they should be called upon, any more than a barrister would be able to pass a technical examination in law after ten years' practice.

The clause was adopted.

On clause 13,

13. This Act shall not come into force until the legislature of all the provinces have enacted legislation accepting its provisions: Provided, however, that the medical board of any province may at any time order the withdrawal of the representation of the said province upon the council, by a resolution passed at a general or special meeting of the said board called for the purpose and carried by the votes of two-thirds of the members present at the said meeting, and notice of which resolution has been inserted for three months previously in 'The Canada Gazette'; and in case of such resolution being passed, the provisions of this Act shall immediately cease to apply to the said province and no more persons shall be given the right to practise medicine within the jurisdiction of the said legislature by reason of their qualification or registration under this Act.

Hon. Mr. WILSON—Would the hon. gentleman explain the 12th clause?

Hon. Mr. POWER—It means that no amendment to this Act may be proposed on behalf of the Dominion council unless it has been previously accepted by the provincial medical councils.

Hon. Mr. WILSON—I can understand the 24th section being very necessary, because they are subject now to the Dominion, and if the provinces had the power or right to alter or amend the Act it would disorganize the whole system; but I do not think the provision in the 13th clause, that the medical board of any province may at any time order the withdrawal of the representation of the said province of the council, should be accepted. I do not think any province should be permitted to withdraw after they have entered into the compact and become subject to the Dominion Act, and have a board of their own for the province, if that is what it means.

Hon. Mr. POWER—That is the meaning of the provision.

Hon. Mr. WILSON—Why should they be permitted to withdraw without some just cause?

Hon. Mr. POWER—I suppose it arose in this way: that it was very difficult to secure the consent of the various provinces. There were two or three provinces which hesitated about coming in, and in a case of that sort, business men have to agree to a compromise, and this is the compromise. My hon. friend will notice that the resolution of the medical board in favour of withdrawing must be carried by a two-thirds vote, and if it is carried by such a vote, the province ceases to be subject to the provisions of this Act. It is a sort of recognition of the right of secession; but I suppose that was the only way in which the consent of the provincial board could be obtained, and although it is not a desirable thing, we have to accept it.

Hon. Mr. THOMPSON—I suppose the provinces will have their medical board, and I presume the application of this Act is that a practitioner desirous of going from his own province to practise in another, having passed his examination, would be entitled to practise in any province of the Dominion without reference to the provincial board in that province.

Hon. Mr. POWER—Yes.

Hon. Mr. THOMPSON—Then I should like to know whether a graduate with a degree from a university, coming from Mc-

Gill, a resident from New Brunswick, with his degree, going back home, would have a right to practise without an examination by this board or the provincial board?

Hon. Mr. POWER—That is one of the features of the original Act which have been changed by this Bill. This Bill does not recognize the degrees of universities. It recognizes only the examination of the medical board.

Hon. Mr. THOMPSON—Would it be illegal for a graduate of McGill University with a degree, a resident of New Brunswick, who had gone to that college for a term of four or five years, going back home to his province to practise medicine unless he passed an examination before this board or the provincial board?

Hon. Mr. POWER—He could practise in New Brunswick after he received a certificate of registration from the province, but he could not just merely on his degree practise medicine anywhere.

Hon. Mr. THOMPSON—That is pretty serious.

Hon. Mr. WILSON—There might be a greater difficulty than has been suggested. For instance, take a province where there are two or three universities. Those universities have become parties to granting degrees under this Act——

Hon. Mr. POWER—They are not recognized at all.

Hon. Mr. WILSON—Not directly, but indirectly. They have their representation upon this medical board. Then, according to this resolution, they have the right to withdraw. How will it affect the universities? The universities have granted certain degrees. Upon those degrees the provincial representatives in the provinces have a right to be registered; then they are withdrawn by a resolution from the representation on that Medical Board and you thereby enable the university to go on in the future as they have been going on in the past, granting licenses to practitioners not fully qualified for the position. It strikes me that that clause is a dangerous one. I may be all wrong, and the clause may be all right, I hope so.

Hon. Mr. POWER—The hon. gentleman says he is afraid that under existing conditions medical students who are not qualified may be allowed to come in and practise; but this clause that we are at has nothing to do with that. It simply provides that a Provincial medical board may withdraw from the Dominion medical board. It has nothing to do with the examination, this measure does not recognize the degrees of universities at all. It requires the examination of a medical board

Hon. Mr. WILSON—How would it be, if, under this clause a two-thirds vote was given, thereby cancelling the power of the Dominion licensing board to grant licenses to practise in the various provinces? One province withdraws from this, and what becomes of that province? Are their practitioners not privileged to go through the Dominion Council to practise their profession, or is it that as soon as they are withdrawn they are denied that right or privilege? Therein I see a danger.

Hon. Mr. POWER—I do not see any danger, because, take the case of a doctor from Nova Scotia or New Brunswick going into Saskatchewan, and we will suppose that the province of Saskatchewan, after a certain number of years, decides to withdraw, then every doctor from Nova Scotia or New Brunswick, who has been duly registered for the province of Saskatchewan previous to that withdrawal will, of course, continue to have the right to practise there; but after the passing of the resolution of wihdrawal no new man can come from outside and practise in Saskatchewan. It is not a spirit that one approves of, but it is really part of the arrangement under which the measure got before parliament, and we cannot exercise our own judgment about it as we should like to. I quite agree with the hon. gentleman. This Bill is a step in the right direction. It does not go quite as far as it might; still it is a step in the right direction, and I think we had better take it.

Hon. Mr. WILSON—According to this provision, just as soon as they withdraw

it ceases to grant the right to license at all.

Hon. Mr. ELLIS—Is that not proper? They have gone out. They should no longer have that privilege.

The clause was adopted.

Hon. Mr. LEGRIS, from the committee, reported the Bill without amendment.

BILL INTRODUCED.

Bill (No. 64) An Act to incorporate the British Columbia and White River Railway Company.—Hon. Mr. Yeo.

The Senate adjourned until Tuesday next at three o'clock..

THE SENATE.

TUESDAY, April 25, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

QUEBEC PROVINCIAL CHIEF OF POLICE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Does the Quebec Provincial Chief of Police receive annually from the Dominion Treasury a salary, an allowance or any emolument?
2. From what date, what amount each year, and for what services?
3. Out of the amount thus paid, what proportion was personally received by the Chief, and what was the amount distributed to the men belonging to the force?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Yes.

2. For the immigration season, i.e., from the opening to the close of steamship navigation at Quebec; for organizing and directing the police service during the season; amount $300 each year.

3. The amount thus paid is for the chief's own services, a separate account being rendered for the services of the men.

Hon. Mr. WILSON.

THE KING'S CORONATION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How many officers, non-commissioned officers, and soldiers compose the Canadian Military Contingent which is to be present at the King's Coronation?
2. What is the relative strength of the staff, of the cavalry, of the artillery or mounted artillery, of infantry or mounted Infantry, and of other services (a) in superior officers (b) in officers (c) in non-commissioned officers (d) in soldiers (e) in orderlies?
3. What is the number of military men furnished by each province in the organization of the contingent?
4. Among the superior officers of the contingent, what are the French Canadians belonging to the volunteer active militia?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are:

1. Officers, 53; non-commissioned officers, 95; rank and file, 560.

2. Regimental staff—(a) 1, (b) 6, (c) 4, (d) none, (e) none.

Headquarters, mounted troops—(a) 1, (b) 2, (c) 4, (d) none, (e) none.

Cavalry—(a) 1, (b) 9, (c) 24, (d) 54, (e) none.

Artillery (horse, field and heavy)—(a) 1, (b) 7, (c) 14, (d) 35, (e) none.

Headquarters, dismounted troops—(a) 1, (b) 2, (c) 3, (d) none, (e) none.

Garrison artillery—(a) 1, (b) 1, (c) 9, (d) 38, (e) none.

Engineers, infantry and departmental corps (a) none, (b) 20, (c) 32, (d) 393, (e) none.

3.

	Officers.	N.C.O. & Men (ap.)
Ontario	19	249
Quebec..	17	140
Nova Scotia ..	7	127
New Brunswick	2	44
P. E. Island...	1	8
Manitoba.	3	32
Saskatchewan ..	1	9
Alberta..	1	16
Brit. Columbia .	2	30

4. Major T. A. Vien, commanding Garrison Artillery.

KING'S CORONATION—MILITARY CONTINGENT.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return showing in as many columns:—1. The

names and surnames of all the officers belonging to the Canadian military contingent which is to be present at the King's Coronation?

2. Their respective ages?

3. The rank occupied by them in the Militia and the rank they will occupy in the organization of the contingent?

4. The service to which they belong, namely: —cavalry, artillery, mounted infantry, infantry, &c.?

5. The military division to which they belong (permanent corps, volunteer active militia, reserve corps, or reserve officers, retired officers)?

6. The province from which they have been called?

7. In what service will they be placed (cavalry, artillery, mounted infantry, infantry, &c., staff)?

Hon. Mr. MACDONALD (British Columbia)—I am going to ask the hon. gentleman, as he is fond of making resolutions, to give notice of another motion, which I am sure will please the House very much; that is to move for a return showing the cost to the country of providing replies to the inquiries he has made during the last session, and up to date of the present session. When these returns come down showing the cost, he can put that in one side of the scale, and what he has done for the country in the other, and he can then judge which has the greater value. I give the hon. gentleman credit for perseverance and industry; in fact I think he has got the microbe of perseverance and the microbe of industry, and the microbe of extreme vanity, and also the microbe of 'Love's Labour Lost.'

Hon. Mr. LANDRY—In answer to the hon. gentleman, I have only one word to say and that is: that I have not the microbe of fear. If the hon. gentleman wants to make this motion, he should get delivered from that microbe. He is at liberty to make the motion. I have enough to do in attending to my own business without doing what he wishes to impose upon me.

The motion was agreed to.

HEALEY DIVORCE BILL.

FIRST READING.

Bill (P-2) An Act for the relief of Fanny Mary Healey, was introduced and read a first time.

Mr. TALBOT—I move that the Bill be read a second time on Friday next.

Hon. Mr. CLORAN—I would like to ask if the introduction of this Bill is within the delay accorded by parliament for the introduction of such Bills.

Hon. Mr. DERBYSHIRE—The time was extended.

The SPEAKER—The time was extended, I think, until the close of the session.

Hon. Mr. CLORAN—I think the hon. senator from Killarney (Hon. Mr. Young) will be in a position to answer that question.

The SPEAKER—I am informed that the time was extended until the close of the session.

Hon. Mr. CLORAN—That is something very unusual. I have been a constant attendant at the meeting of the Senate and I fail to remember when such a motion was passed. If the chairman of the Standing Orders Committee, Senator Young, will state when he made such a motion, I shall be pleased to have the information. I am not aware that the chairman has made any motion to prevent these Bills from being introduced until the last day of the session. That was the information I received from the Chair. If that information is incorrect then it is quite unusual.

Hon. Mr. YOUNG—The Standing Orders Committee have divorced from their duties all matters in connection with the divorce Bills, which are in the charge of the Divorce Committee entirely. We have extended the time from time to time for presenting petitions for private Bills; and the time for presenting petitions for private Bills that we deal with has been extended until April 27.

Hon. Mr. TALBOT—This is not a petition at all. The petition was presented long ago. The evidence has been heard. This is a Bill.

Hon. Mr. YOUNG—I am not dealing with the presentation of petitions. I am answering the senator who asked me the

question, whether the Standing Orders Committee had extended the time for presenting the petitions for divorce until the close of the session. I say no; that we have divorced from our work all matters connected with that class of private Bills. That is left entirely to the Divorce Committee.

Hon. Mr. CLORAN—The reason I put the question to the hon. chairman was that the hon. Speaker informed the House that the time for such Bills was extended until the close of the session. I thought that very strange. Now the chairman of the Standing Orders Committee distinctly tells the House that the time was extended until the 27th April.

Hon. Mr. YOUNG—For other private Bills.

Hon. Mr. CLORAN—No, for divorce Bills.

Hon. Mr. YOUNG—I am not speaking of divorce Bills at all.

Hon. Mr. CLORAN—To what time did the committee extend the delay?

Hon. Mr. YOUNG—They did not deal with divorce Bills, and do not deal with them, and I am responsible for the answers which the hon. Speaker gave, as it was I who gave him the information. As I understand the practice, it is quite proper to present petitions for Bills of divorce at any time, and the time for presenting petitions for other private Bills is regulated by the Standing Orders Committee from time to time.

Hon. Mr. TALBOT—As I understand, a Bill may be introduced at any time. This is not a petition. This is a Bill, and I do not think there is anything irregular about it.

The motion was agreed to.

BILL INTRODUCED.

Bill (Q-2) An Act for the relief of Joseph Doust.—Hon. Mr. Derbyshire.

ALBERTA RAILWAY AND IRRIGATION COMPANIES BILL.

REFERRED BACK TO COMMITTEE.

The order of the day being called:

Third reading Bill (No. 51) An Act respecting the Alberta Railway and Irrigation Company.

Hon. Mr. WATSON moved that the Bill be not now read the third time, but that it be referred back to the railway committee for further consideration. He said: I have been requested on behalf of the petitioners for this Bill to make this motion. The vice-president of the Canadian Pacific Railway states that from an engineering standpoint it is impossible to build the road as required by the present Bill, and I informed the gentlemen that I would no take the responsibility of moving the third reading in the House until the Bill receives further consideration in the railway committee.

The motion was agreed to.

THIRD READINGS.

Bill (No. 108) An Act respecting the Canadian Pacific Railway Company.—Hon. Mr. Watson.

Bill (A-2) An Act respecting the Joliette and Lake Manuan Colonization Company.—Hon. Mr. Casgrain.

Bill (No. 94) An Act respecting the Western Central Railway Company.—Hon. Mr. Campbell.

Bill (No. 15) An Act to amend the Canada Medical Act.—Hon. Mr. Belcourt.

THE ACCOUNTS AND VOUCHERS OF THE SENATE.

MOTION.

The order of the day being called:

Consideration of the message from the House of Commons requesting that the accounts and vouchers of the Senate for the fiscal year ending March, 1910, be transmitted to the House.

Rt. Hon. Sir RICHARD CARTWRIGHT—In accordance with an arrangement made with the hon. gentleman from Hastings (Sir Mackenzie Bowell) I propose that we

shall take into consideration the form of message we can address to the House of Commons. The request they have made is certainly of a very unusual character, but I believe in our records something has been said or done as far back as 1884 by which we agreed to submit our accounts to the Auditor General of the day, and, I suppose, if that be the case, the House of Commons who have special jurisdiction over money matters, might ask to have the accounts submitted. However, the matter will bear some discussion. I understand that my hon. friend from Halifax has been looking into the matter and has prepared a memo. on the subject, which I believe he wishes to submit to the House.

Hon. Mr. POWER. While I am not anxious to make any remarks on the subject, I feel it my painful duty to submit the following resolution:

Resolved, That inasmuch as the accounts and vouchers respecting the expenditures made by the Senate during the fiscal year ending on the thirty-first day of March, 1910, have been referred to the Committee on Internal Economy and Contingent Accounts under Rule 103, and are now being considered by that Committee, it is not practicable to furnish them to the House of Commons as requested by the message of the twenty-fourth of January from that House.

Resolved, That inasmuch as the accounts and vouchers in question have been submitted to a minute and rigid examination by the Auditor General, whose report does not appear to be any public end to be served by furnishing such accounts and vouchers to that House.

Resolved, that inasmuch as the legislative enactments governing the expenditure of moneys voted to the two Houses of Parliament have been heretofore interpreted as giving to each House full control over the sums voted for its purposes, the Senate is of opinion that the critical examination of the details of disbursements made by either Houses, best left to the House by whose order payment is made.

Resolved, that notwithstanding this opinion, the Senate, with a view to promoting economy and efficiency in the administration of the business of Parliament, is prepared to enter into arrangements for the appointement of a joint committee of the two Houses whose duty it will be to examine into and report on the expenditure of such Houses.

And; resolved, that the foregoing resolutions be communicated to the House of Commons by one of the Masters in Chancery, in reply to their message of the twenty-fourth of January last.

I do not think it is necessary to add much to the mere reading of the resolution. I may say that as far back as the year 1884 a similar question arose in this House. Up to that time it had not been the practice to submit the accounts and vouchers of the Senate to the Auditor General; but it was then decided that these accounts should go to the Auditor General and from that time forward that practice has been pursued. While we should, to a certain extent at any rate, maintain the independence of this House, in my individual opinion it would be wise to arrange, I suppose on a report by the Internal Economy and Contingent Accounts Committee, that hereafter our accounts should be prepared in duplicate so that the Auditor general can retain one copy, and that that copy can, if necessary, be submitted by him to the committee on public accounts of the other House; but these resolutions go as far as we should go in the way of meeting the views of the other House at the present time.

The motion was agreed to.

THE GRAIN BILL.

AGAIN IN COMMITTEE OF THE WHOLE.

The order of the day being called:

House again in committee of the whole on (Bill Q), 'An Act respecting grain.'—Rt. Hon. Sir Richard Cartwright.

Rt. Hon. Sir RICHARD CARTWRIGHT—I propose, hon. gentlemen, to move the House in Committee in order to give those gentlemen, who have been deputed to look into this matter more especially, or such of them as may choose to favour us with their views, an opportunity of stating them. No doubt several of them will be disposed to give us the benefit of their opinions at some length, and while in the absence of two or three hon. gentlemen who had been taking a large interest in this matter, I do not propose to press the matter to a conclusion, I think we had better have a discussion upon it at present.

Hon. Mr. DAVIS—I understand that there are two reports here. I am prepared to submit a report on behalf of the minority of the committee when the committee's report is presented.

Hon. Mr. LOUGHEED—The hon. Mr. Jones is absent, and I am not aware of

his having deputed any one to present the report on his behalf; but we would be in a position to make some progress by my hon. friend from Prince Albert presenting the minority report.

Hon. Mr. DAVIS—If the chairman of the committee is not here to present his report, we had better let the Bill stand over. I am not prepared to make my report until I hear what the majority report is.

Hon. Mr. LOUGHEED—My hon. friend should not apprehend any difficulty in grasping the contents of that report, inasmuch as the essence of it is that the objectionable clauses be stricken out.

Hon. Mr. DAVIS—I want to draw my hon. friend's attention to the fact that as the Bill stands to-day it contains the clauses which I am anxious to have in, and until a motion is made to eliminate them I am not in a position to act.

Hon. Mr. LOUGHEED—Although I have no authority to do so, as far as the chairman is concerned, yet I will take the liberty of moving, seconded by the Hon. Mr. Béique, that the report be adopted.

Hon. Sir RICHARD SCOTT—Is the report before the committee?

Hon. Mr. LOUGHEED—The report is before the House.

Hon. Mr. DOUGLAS—It seems to me that we should not be called upon to criticise a report that has not yet been laid upon the table, or submitted to the House. There are not only the clauses which the committee investigated, but there are other clauses that will require to be investigated in connection with those clauses, and it is necessary that some member should be present to assume the responsibility of giving the House information as to the report of the special committee. I have no desire to obstruct. I would be glad, if Mr. Jones were here, or some one should take his place, to go on with the matter; but we can not go on until the report is presented. I should think it would be possible to delay this until to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT—It is merely a matter for the convenience of hon. gentlemen. We have had the report of Mr. Jones before us for some time, and as the hon. the leader of the opposition has remarked, the report virtually means the striking out of the two clauses. I have seen the report and I understand that some gentlemen on the committee hold a different opinion and were prepared to debate it. Those gentlemen of the committee who hold with the majority who are here could discuss the matter with advantage to-day. It may take a day or two before we can dispose of the question. I shall not press the matter if the hon. gentlemen of the minority do not want to discuss it. I believe it would be to their interest that they should enter on the discussion to-day. That, however, is for them to say.

Hon. Mr. POWER—I do not propose to raise a question of order, but it seems to me that the more convenient plan would be to refer these two reports, the report of the majority and the report of the minority, to a Committee of the Whole House first, and then the committee would have both reports before it, and could deal with them. As it is now, these reports have not been referred to the committee, and as I understand, the committee cannot conveniently deal with matters that have not been referred to it. I am not saying that this procedure is irregular; but I think it is convenient, and the better way would be, to have these two reports referred to a committee of the whole, and they could then be dealt with together with the Bill. I do not think there is much force in the point raised by the hon. member from Saskatchewan, that the chairman is not here, because the chairman presents his report, and any member can move its adoption.

Hon. Mr. LOUGHEED—I think it would be more regular if I were to move that the committee rise, with a view to the House dealing with both reports. The House then can refer both reports to the committee, and my right hon. friend can move the House into Committee of the Whole.

Rt. Hon. Sir RICHARD CARTWRIGHT —I move that the committee rise, report progress and ask leave to sit again. We can then go into Committee of the Whole and consider the other two matters.

Hon. Mr. DERBYSHIRE, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again.

Hon. Mr. LOUGHEED moved, in the absence of the Chairman of the committee on Bill (Q), that the report of the committee to whom was referred clauses 122, 123 and 242 of Bill (Q) An Act respecting grain be referred to the Committee of the Whole on the said Bill.

The motion was agreed to.

Hon. Mr. DAVIS moved that the minority report presented by certain members of the special committee appointed to consider and report upon clauses 122, 123 and 242 of the said Bill (Q) be referred to the Committee of the Whole on the said Bill.

The motion was agreed to.

The House resumed in Committee of the Whole consideration of Bill (Q) An Act respecting grain.

(In the committee.)

Hon. Mr. LOUGHEED—In accordance with the report of the committee on this Bill, I move the following amendment on page 31, line 41:

'After board insert provided that in case of such revocation there may be an appeal to the Governor in Council, but pending the hearing thereof the revocation shall continue in force.'

Hon. gentlemen can see the very absolute authority given to the board. It is of the most autocratic character and would authorize the board to revoke the license granted to a terminal elevator and thus, possibly, inflict very great damage upon the business which is transacted, and upon innocent parties who might be interested therein and the committee thought it desirable that there should be an appeal to the Governor in Council from the order of the board. I know of no case analogous to this in our Statute law where redress could not be obtained by an appeal to a higher authority. This Bill is very largely modelled, I understand, after the principle embodied in the Railway Act, giving very full authority to the Railway Board; but in certain cases there can be an appeal from the Railway Board to the Supreme Court of Canada. This is a somewhat parallel case, and it was felt by the committee that in so drastic a case as this, where the license is about to be revoked, that no injury should arise to the public interest if an appeal were given to the Governor in Council. It is provided at the same time that the revocation of the license should continue in force; that is to say the elevator can be closed and no business may be done. The revocation of the license shall have full force and effect pending the appeal. This fact would warrant the parties interested in accelerating the appeal before the Governor in Council in every possible way. It was thought advisable for this purpose that the revocation should go into operation immediately it was made by the board, so that the appeal should not hang fire and should not be delayed in the public interest.

Rt. Hon. Sir RICHARD CARTWRIGHT —The government does not object to that. It simply grants an appeal to the Governor in Council in the case of suspending a license; but the revocation takes effect all the same immediately the commission decides.

Hon. Mr. POWER—I do not propose to move any amendment. I think the appeal from this board should be the same, mutatis mutandis, as an appeal from the Board of Railway Commissioners. An appeal from the Board of Railway Commissioners is allowed on questions of law. To allow appeals from this board on questions of fact is an objectionable provision. Inasmuch as these commissioners will probably not be lawyers, I can readily understand that there should be an appeal from their decision on questions of law; but I do not think there should be on questions of fact. One of the objects of creating this board is to relieve the Governor in Council from the necessity of dealing with matters connected with the grain business. I think

it would be better if my hon. friend from Calgary would amend his motion so as to provide that there should be an appeal on questions of law. It does not seem to me that the Governor in Council is the most satisfactory tribunal to go to. I think the appeal should be to the Supreme Court of Canada, or to the highest court in the province where the question arises.

Hon. Mr. LOUGHEED—I think it would be possible, under the Supreme Court Act, if a question of law were involved, that on an appeal to the Governor in Council they could refer it to the Supreme Court. If it is referred to the Supreme Court of Canada, it may involve considerable delay and I think it would be better to have it go to the Governor in Council in the first instance.

Hon. Mr. POWER—Inasmuch as these appeals are likely to take place in the summer season when it is rather hard to get a meeting of the government, I do not think there will be much gained in the matter of time by referring it to the Governor in Council.

Hon. Mr. LOUGHEED—It can be amended afterwards if it is found not to be practical.

The motion was agreed to.

Hon. Mr. LOUGHEED—I move in accordance with the report of the committee that section 123 be stricken out.

Hon. Mr. DAVIS—I move in amendment that all the words after the word 'That' be stricken out and the following substituted, 'That clauses 123 and 242 remain intact, as they appear in the Bill.'

Hon. Mr. LOUGHEED—That amendment would not be in order.

Hon. Mr. DAVIS—Well, then, I move that clause 123 remain intact.

Hon. Mr. LOUGHEED—That is not necessary; it is already in the Bill. You cannot move that it be left there.

Hon. Mr. POWER—The amendment which the hon. gentleman proposes is simply negativing the resolution moved by the hon. gentleman from Calgary. It is not an amendment.

The CHAIRMAN—His resolution goes further than the hon. gentleman's motion.

Hon. Mr. POWER—We can deal only with the clause before the committee. The hon. gentleman from Prince Albert can say all he could possibly say on his amendment.

Hon. Mr. DAVIS—I would like to hear what my hon. friend has to say in support of that motion to strike out the clauses. It practically contains the principle of the Bill as far as we are concerned, and he has not given any reasons why he desires to have it struck out.

Hon. Sir GEORGE ROSS (Middlesex)—We have not yet adopted clause 122.

Hon. Mr. TALBOT—I think it would be well not to adopt 122 until we see whether 123 and 242 be adopted.

The CHAIRMAN—You will have to stay by 122 now until we settle it.

Hon. Mr. TALBOT—It has not been adopted, and I submit it should not be adopted.

Rt. Hon. Sir RICHARD CARTWRIGHT—It has nothing to do with 123.

Hon. Mr. DAVIS—If my hon. friend has nothing to say with reference to the resolution he is moving, I have something to say on the question.

Hon. Mr. LOUGHEED—The reason I do not wish to encroach upon the time of the House is that when this matter was up before the Committee of the Whole some weeks ago and before it was referred to the special committee, I spoke somewhat lengthily upon this particular clause and upon paragraph (a) of 242, and I made a motion that the Bill be referred to a special committee to consider these two clauses, and having delivered myself, in a sense, as to what I regarded as a gross injustice that was about to be perpetrated, or practised upon those interested in ter-

minal elevators, I moved that it be sent to a committee. It was accordingly sent to a special committee appointed by my right hon. friend the leader of the House, and they in their judgment saw fit to recommend that these clauses be stricken out. I therefore do not feel disposed to repeat what I said upon that occasion.

Hon. Mr. DAVIS—Since my hon. friend does not wish to say anything on the measure, I will have to say a few words. I thought that after the hon. gentleman had been sitting on the committee for a week or more listening to the testimony of all the parties for and against the provisions of the Bill, he would now be able to enlighten the House a little more than he did when the Bill was introduced. One of the reasons for submitting the Bill to a select committee was for the purpose of getting evidence so that the House would be seized of the information when they dealt with it. My hon. friend took a leading part in the discussion in the committee, and I thought he would have something to say with reference to the evidence submitted.

Hon. Mr. LOUGHEED—So I shall, possibly.

Hon. Mr. DAVIS—I will have to say a few words in order to draw my hon. friend on. Clause 123 is a matter of great importance to the majority of the wheat growers of western Canada. I am not going into the question of mixing wheat and all that sort of thing, because I assume that hon. gentlemen have read the evidence and know pretty well about the practice of mixing of grain. The production of wheat is the great industry in Canada at the present time, and is the industry which has built up the country. I believe the prosperity of Canada in the last ten years is due to the breaking up of the plains in the western country and growing wheat there. The wheat growers are making Canada, and deserve some consideration. When I went west, in the early days and the people started to grow grain, we were in the hands of a monopoly. Nobody was allowed to ship a bushel of wheat unless he put it through a certain elevator. The railway companies did not own the elevators, but they controlled them. They would say: 'You have to put your wheat through Jones' elevator, or Brown's elevator or we will not ship it at all.' My hon. friend (Mr. Douglas) took that matter up in the House of Commons, and as a result we have the present Grain Act as it appears to-day. But after the grain trade commenced to flourish, gentlemen on the other side of the line who had been in the grain trade for a great many years, established themselves not only at Port Arthur and Fort William, but all through the country, building strings of elevators, incorporated under different names, although all connected with the same company. While four or five companies are incorporated under different names, they are owned and controlled by one large company. After building the line of elevators out on the prairie, they acquired terminal elevators by lease or building at Port Arthur and Fort William. Their object was obvious. They had been doing business in the States and made their money by the mixing and manipulating of grain. Notwithstanding all the laws passed by Minnesota and other legislatures, these gentlemen continued to outwit them. They paid a vast amount in fines, and continued the traffic over there. These gentlemen have been transplanted into this country and have obtained control of Canadian elevators. We claim that by these gentlemen mixing the wheat in the terminal elevators it lowers the value of the article in the market outside. Anybody can see why. There are three standard grades of wheat, No. 1 Northern, No. 2 Northern, and No. 3 Northern. Two or three cars of grain might be a little better than No. 1 Northern, but still it would have to go into that grade. Again there might be two or three car-loads of grain that would very nearly class as No. 1 Northern, but it would be put down into the lower grade. We claim that if there is no manipulation in the grain, and if it is allowed to go through, and if the grain a little higher than No. 1 is thrown into No. 1, and grain a little higher than No. 2 Northern is put in No. 2, and so on, when our grain went over to the old country it

would be a better class of grain and we would get more for it. We claim that the grain is manipulated to our disadvantage by a system of mixing, and I think the Bill would not have been before the House if there had not been something of the kind. We claim that when these gentlemen get hold of this grain, they have a lot of their own grain and they manipulate our grain as well. They will take three or four cars a little better than No. 2, but not No. 1, and will take some a little better than No. 1 and add something to it, and make it No. 1. We complain of that. We say our grain should go to the market graded as we produce it, and if it is of a little higher standard, it will be beneficial to us, and we shall obtain a higher price for it. There is no hearsay about this. These gentlemen have been operating up there for a number of years. We have passed legislation stringent enough to keep them straight, but it has been impossible up to the present time to do it. Our law is all right; we do not need any more law if we can enforce the law we have; but the trouble is that we have not been able up to date to enforce it. We had a lot of the transgressors summoned last year and they were fined. They say it was on a technicality they were fined, or something of that kind. For two or three years this has been going on, and farmers have complained that these elevator men have been manipulating and mixing grain and shipping it out with dirt in it, lowering the quality and weight, which has the effect of lowering the value in the British market. Not only have the farmers complained of it, but some three hundred millers in Ontario have complained and asked for some relief.

Now the government propose to appoint a commission. That is a step in the right direction; but I submit that as long as the owners are allowed to stay in those elevators with the opportunity of not only manipulating the grain, but of corrupting our officials, it is impossible for any commission to give us relief. The evidence is here and I ask hon. gentlemen to read it. They say it is absolutely impossible under the laws as they stand to-day for any crooked work to be done unless there is collusion between the officials and the men running the elevators. What does that mean? I asked Mr. Black, who is an independent party, manager for the Ogilvy Milling Company: 'Do you think it is possible to have mixing and things of that kind done without the officials knowing about it?' and he replied, 'No, it is not.' When I pressed him he said there must be collusion between the officials and the owners, and when I pressed him further, he said, 'Collusion or neglect.' Mr. Gage made the same statement; so did all the others who gave evidence. While they claim it is impossible, they have to admit that it has been done, and what has been done in the past can be done in the future. The men who work in the elevators are not paid high wages; they get little more than labourers; and they are liable to be corrupted. We know that some gentlemen have wilfully broken the laws and been fined for it. They would not hesitate to go further and throw a dollar or two to one of these poorly paid officials for closing his eyes or going round a corner while this was going on.

Hon. Mr. POWER—Has it been stated that anything crooked has been done since the system of registration was adopted?

Hon. Mr. DAVIS—My hon. friend has probably an abiding faith in the system of registration, but I have faith in only one thing, and that is to put it out of the power of these gentlemen—to take the incentive away and render it impossible for these gentlemen to mix at all. The registration would be all right if it were carried out; so would the present Act, but we have not been able to carry it out. My hon. friend heard the evidence—heard these men say that it was almost impossible to break the law unless there was collusion between the officials and the owners. I asked Mr. Gage, 'Did you break the law?' He said, 'Yes, but we were lending grain.' That meant that they were lending other people's grain to make up a shortage in boats. Another said that they had pleaded guilty. I asked him if he did not think it was a serious thing to

do, and he said they should not have done it. The government could not prosecute them for mixing grain, because they could not get evidence to establish the fact. It was shown that there was half a million bushels more of No. I northern wheat went out of the elevators than went into them. That is established by the books of the inspectors. It was also shown that there was half a million bushels less of the lower grades went out of the elevator than went into it, which proves that they had been mixing the grain and changing the grades. All they could be prosecuted for was for making false returns. You could not catch them mixing the grain. That is very often the way that some bank officials have been prosecuted—not for the swindling they have been carrying on, but for making false reports to the government. In this case, these gentlemen were fined some $5,500 for making false returns. I submit that as long as those gentlemen are allowed to go on and do that sort of business there is no safety for the public. My hon. friend, a while ago, raised the question of vested rights, and these gentlemen claimed that they came into the country and spent a large amount of money building elevators. I do not think that anybody would argue that those gentlemen came here merely for the good of their health. In fact one of them very frankly said so—he said, to put it short, he was here 'after the stuff'. These gentlemen tell us that they are giving the farmers competition out in the west; that is more important than the terminal elevator question involved, and that is the question of the monopoly these gentlemen are building up in the west. If we allow this sort of thing to go on, in four or five years the grain trade of the west will be in the hands of one huge monopoly and there will be no competition. These gentlemen claim that their vested rights should be protected, that they have put their money into elevators, and if they are not allowed to operate them they will lose their money. There is no proof of that. There is only enough elevator accommodation at the lakes to hold the grain that is now shipped from the west, and the volume of wheat going out is increasing rapidly. It appears to me that if they were anxious to sell the elevators they would find somebody to operate them. There is nothing to prevent the producers from saying, 'If you operate these elevators right, we will continue to send our wheat through them.' Now why could they not do that? They say unless they are allowed to do this business in the way they have been doing it their capital is endangered. But there are many small elevators throughout the western provinces which were there before these gentlemen came into the country. These gentlemen to-day, by their manipulations, are gradually freezing those small elevator owners out, and if it comes to a question of vested rights, have not those small elevator owners some ground for pleading that their vested rights be protected. They are being frozen out now. You can remedy that by putting these people out of the terminal elevators. One man said, 'Last year when I was buying wheat I lost 24 per cent on grade.' He lost a spread of three to four cents and that represents an enormous amount of money to a company that owns three hundred elevators. If they were filled three times, they must have lost very heavily. Now how do they make up that loss? They made it up by mixing at the terminals. The small men cannot do that. When a farmer comes to sell his wheat, the owner of the small elevator looks at it. If he finds that it is a little short of No. 1 Northern, he can only give the price of No. 2 Northern. If the farmer refuses to sell under those conditions he can go to the representative of the combine. He knows that if it is not No. 1 Northern he can, by mixing and manipulation, make it No. 1 and he buys the grain. That is the way these people are putting the small men out of business throughout the western country. I should like to show how the competition is going on in the west, and I take for my authority the report of the department of which the right hon. leader of the House is head. Mr. Gage, who is one of the gentlemen who gave evidence connected with these big institutions, told us that they had a terminal elevator or two at Port Arthur, and that they controlled five or six companies out through the country. I asked him, 'Are

there two of those companies doing business in the same town?' and he thought probably in one or two instances there might be, but he was not sure about it.

I have taken the trouble to look into the matter and have only taken the elevators of one interest. Take the whole combine represented by these gentlemen who came here, and you will find they are exactly the same. You will get four or five elevators in one town under different names, and they are supposed to be competing for the farmers' grain, but you will find they are all controlled by the one combine, or interest. I have a list of some of them here and I want to show you how they work. I have taken the province of Saskatchewan:

Drinkwater, Sask., Imperial Elevator & Lumber Co.; Saskatchewan & Western Elevator Co.; Estevan, Sask., International Elevator Co.; Imperial Elevator Co.; Frobisher, Sask., International Elevator Co., Imperial Elevator Co.; Jansen, Sask., Inland Grain Co., Saskatchewan Elevator Co.; Lajord, Sask., International Elevator Co., Imperial Elevator Co.; Lanogan, Sask., International Elevator Co., Saskatchewan Elevator Co.; Lemberg, Sask., Imperial Elevator Co., North Star Grain Co.; Lipton, Sask., Inland Grain Co., North Star Grain Co.; Marquis, Sask., Imperial Elevator Co., Saskatchewan & Western Elevator Co.; Milestone, Sask., International Elevator Co. North Star Elevator Co.; Newdorf, Sask., there are three elevators doing business in this town and they all belong to the same interest, International Elevator Co., Imperial Elevator Co., North Star Elevator Co.; Redvers, Sask., Imperial Elevator Co., Saskatchewan Elevator Co.; Roleau, Sask., International Elevator Co., Imperial Elevator Co.; Stockholm, Sask. There are two elevators in this town and they both belong to the same interest, Inland Grain Co., International Elevator Co.; Strassburg, Sask., International Elevator Co., Imperial Elevator Co.; Strassburg, Sask. There is one independent man by the name of Little, and he will be mighty little before he is through with the trust. Tantallion, Sask., International Elevator Co., North Star Grain Co.; Tugast, Sask., Imperial Elevator Co., Saskatchewan & Western Elevator Co.; Tuxford, Sask., Imperial Elevator Co., Saskatchewan & Western Elevator Co. These elevators are all controlled by one interest.

What a fine proposition for the farmers there. Three elevators belonging to the one combine. If a man drives into town late in the evening with a load of very good wheat, No. 1 Northern. He drives to the first elevator and says to the man in charge, 'I have a load of wheat I want to sell.' The operator replies, 'Yes, No. 1 Northern, but I have no room for it.' He goes to the other man and he looks at it, and he says 'It is No. 1 Northern, but I have no room for it, you had better try the other man.' He tries the other man, who scratches his head and says, 'Well, that is beautiful wheat, No. 1 Northern, but I have no room for it, but I have some room in my No. 2 bin, and if you will take the price of No. 2 grade I will buy it.' The poor farmer cannot take it home again, and he has got to hand it over to these people and up it goes into a No. 1 bin, and by this means the farmer is gradually being ground out of his business, and these monopolies are being established and maintained. A great deal of the immigration from the United States that has come into our country during the last ten years has been of men who come over to get away from monopolies of that kind, and they will tell you so. They will tell you that they want to live under the Union Jack because they believe in our laws and institutions, and they will tell you that there is so much monopoly on the other side that they want to get away from it, and they are getting away from it. But what do they find? If the monopoly is not in front of them in Canada it is following them up very close and is getting its clutches on them, and I say it is up to us to nip it in the bud. We should put these grain men in such a position that they cannot manipulate the grades, and will have to buy a grade for what it is worth. If we do this we will soon kill off these monopolies. This question of vested rights is a very questionable commodity. When you consider the 30,000 farmers who came down here representing 300,000 farmers asking for this legislation, and take

into consideration the 300 millers covering the province of Ontario and Quebec, and in fact the whole Dominion, who came here through their accredited representatives, and asked for this legislation, and then put on the other side a half dozen gentlemen who come in from Minneapolis, and who tell you that they are 'out for the stuff,' and who try to make you believe that if they were put out of operating terminal elevators they would lose their money, it should not be difficult to decide where our duty lies. Every one of them had to admit that the elevators were paying. Mr. Gage told us that he had an elevator of a capacity of one million bushels. I asked him, 'How much did you put through it?' His answer was, 'Nine million bushels.' Everybody knows that if you can fill an elevator three times in a season it will pay, and he succeeded in filling his elevator nine times. But when you put on the screws to find out how much profits were made out of the elevators, you could not gain any information. They all had to acknowledge that they paid dividends. Is there any reason why they would not pay just as well after this legislation has passed? They said the reason the elevators were paying now was that they were routing all their grain in that way. Would they have any reason to take it away if this legislation was passed? If I had a store business and I sold out to some one, I do not see any reason why I would not go on and deal there so long as I was treated in a proper way. The same principle applies to the elevators. They can lease the terminal elevator to some person and still route their grain in that way. But there would not be any manipulating carried on, and they would not be able to produce twenty-four grades. It was pointed out that in the province of Manitoba the elevators lost money. They did not lose in grades as they do not buy grain. How did they lose the money? By the opposition of these interior elevators, giving higher grades, and because they had not any way of fixing it up at the other end as these gentlemen had. It is impossible to watch them as long as they are allowed to stay in these elevators and manipulate them. They work them at nights and on holidays, and they might even work them on Sundays. Mr. Cassels told me that before he weighed them up the last time he had to seal every bin. I am sorry we did not have Mr. Cassels' evidence on account of his illness. If we could have taken his evidence we would have a lot more information. He had to seal up the machinery before he could find out where the losses came in last year. We had another gentleman up there who had something to do with the government operation of these terminal elevators, and he informed me that they were operated by very ingenious men, and that when the officials closed one hole they opened up another. They were like rats or gophers. They cannot be watched. The government has had experience in this matter and when they brought down this Bill they knew what they were doing. They are seized of facts that I suppose the House does not know. They would not have brought down a Bill of this kind if it were not necessary. These gentlemen have not been able to show that it is not in the public interest to have that Bill enacted. They have not tried to show that it was not in the interest of the public. They went on to show that they had vested rights and they thought they should be protected When the people of the country are interested, as the whole people of Canada are intrested in this proposition, when the question of vested rights is not of vital importance, the government must deal with the matter.

Because not only the farmers and millers, but the whole people of the Dominion are interested in the proposition of cutting out the monopoly and having our wheat marketed as it should be marketed. We are not always so anxious to protect vested rights. My hon. friend, the legal luminary, must have read the statement of a Chief Justice of England, that there was no such thing as a vested right and that you cannot protect one vested right without killing another. That is what these men are asking to-day. They say, 'We want you to protect our vested rights' but in doing that you must kill somebody else. Take the liquor question; the local government enact laws in refer-

ence to local option. Men are licensed to sell liquor and encouraged to build hotels, and are put under a board of commissioners, just the same as the grain people. These commissioners compel them to put additions to their hotels and change their premises and make vast expenditures of money. But the moment the people of any county come to the conclusion that these men have been breaking the law, they take a vote on the question and put them out of business without any consideration of vested rights. If the elevator operators would observe the laws of the country, you would not find much agitation to put them out of business; but they are continually breaking the law like the others, and they come here and suggest what we should do to keep them straight. Of course they were not asked directly if they broke the law, but Mr. Jones or Mr. Brown would acknowledge that he had been fined for a breach of the law and some one would ask: 'Could you make some suggestion.' It was asking him to suggest some means of keeping himself straight, when the question was boiled down. These people knew what the laws were when they came into the country. They knew the law was subject to change at any time, and that the government had control of terminal elevators and was liable to do almost anything with them, and in the face of that they go on and build the elevators. One company went on after the agitation started and said they were building another elevator. The gentlemen who put nine million bushels through a million bushels elevator was asked the question. 'Did you know that changes in the law were proposed?' He said, 'Yes, they knew, but were going to take chances.' It looks to me like a great big bluff. When the interest of the whole Dominion is at stake, vested rights appear to me to be a myth. Is the whole country to be held up because three or four gentlemen invested a certain amount of money which they cannot show they are going to lose? There is not a question of loss in the matter at all. There are not enough elevators today. With regard to monopoly it is in the hands of the government. They know about the monopolies. How is it that when the Canadian Pacific Railway were operating the elevators we never heard complaints from the farmers? You never heard of the farmers kicking about any railroad company mixing their grain. But are these farmers doing any more kicking than the farmers did in Minnesota? No, they are not, and if there were not some fire there would not be so much smoke at the present time. There is no doubt the elevator companies have been breaking the law right along. The object of the clause is to separate the two interests. Clause 123 provides that no man or body of men can at the same time run a string of interior elevators in the country and operate a terminal elevator. The terminal elevator must be a storehouse only, where they will take the grain in, put it through and let it go out again. These gentlemen say, 'You can inspect the grain and watch it.' Just imagine where the grain is running down several spouts into a vessel the view one can get of it then. You can legislate all you like, appoint all the commissions you like, and the commission might watch these gentlemen night and day, but as long as they have a right to be in the elevator and operate it this evil will go on. The only way it can be stopped is by dividing the terminal from the interior elevators, and making these gentlemen go out of the terminal elevator business. It is an easy thing to do that. They are interested in three or four line elevators and in the terminal elevator. Some of them can very easily sell their stock in the terminal elevator and hand it over. It is no trouble at all, and when it comes to a question of public interest it should not stand for a moment. Last year parliament passed the Miller Bill. Was that not interfering with vested rights? Still, when it was thought to be in the public interest that it should be done, vested rights were set aside. I could cite a number of measures where vested interests were set aside when they came in conflict with public interest. I may have something to say later on when I hear the arguments on the other side of the question; but I submit that those clauses should remain in the Bill in the interests of the

producers of wheat, who are the people directly interested, and in the interests of the people who manufacture that wheat and have to hand it to the consumer who is directly interested in having a good article. The miller wants to have good flour, and if he can buy wheat in its proper condition he can make good flour, but if he has to buy it after it is mixed up with dirt he cannot make good flour. I contend that the interests of those people should be taken into consideration in preference to the interests of half a dozen gentlemen who acknowledged that they came into the country for the 'stuff.'

Hon. Mr. DOUGLAS—I need not say that I am interested in the question, and have been deeply interested for a number of years, not personally, but interested because I am a citizen of that great country and because I believe in the country, and because I know the people were struggling to make homes for themselves and their families, and were subjected in doing so to all sorts of unfair dealing, to say the least of it. One of the very first things that was asked me when I was elected for East Assiniboia, at a large gathering of farmers, all not in accord with me as far as political opinions were concerned, was to do something to relieve them of this continual outrage to which they were subjected by the mixing of grades and the loss of wheat and other frauds that were discovered. It should be in the memory of hon. gentlemen of this House that the government was pleased to appoint a commission and to preside over this commission the late Judge Sinclair was appointed. I was asked to unite with this commission and make investigations in every town in connection with the elevators and other buildings where grain was handled and bought and sold. I undertook to do my duty. I did not accept the offer that my expenses should be paid. I paid my own expenses, and for three solid months went into the investigation of the grain business in Manitoba and in the territories to the west. I do not want to burden the memory of hon. gentlemen with all the strange things that were developed under our notice, and the strange practices that were employed, indicating that a large majority of the men in the grain business, to say the least of it—I do not say that every man is a fraud, because there are honourable men in the business—seemed to have no regard for principle, no regard for the rights of their neighbour, so long as they were able to secure and build up their own interests. I am not here to tell you that I have suffered. We individually raised a great deal of grain, not as much as some people in the far west, because we have other agencies and business that involve our attention, but I have no kick personally in connection with the grain question. Since the elevator monopoly was broken up, as you remember, by the establishment of loading platforms throughout the country in connection with all the railway corporations, it has answered a purpose, and the least that we have realized in connection with these platforms being at the will of the public, it saved us about from 7 to 9 cents a bushel year by year. Now, if it was that much advantage to me, what would it amount to if you took into consideration the entire harvest that is raised each season? It is not only that we have been saved money and outlay in the loading of our grain, but things have come under my notice in this way; we have at our own village the very men who have been giving testimony within the last month to the members of your committee. We have them with their elevators. As soon as the Canadian Pacific railway laid the foundation for a railway station they were there, not the individuals, but parties belonging to corporations through which they were doing business, and they put up their elevators. The buyer from the elevator of one of those United States firms passed me on the platform, and our men were busy loading two loads of grain, and he says, 'This is pretty good grain, it is worth so and so, and it will go standard so and so,' but it went on down to the lakes, and we had the government weighmaster and the government inspection and we sold it through the Bank of Canada, and we just made ten cents a bushel more than if I had dealt with the United States buyer. I do not take anybody else's statement for it at all. It is no strange experience to us; but my neighbours and

those about us who have not the facilities we possess for loading their own grain, because they are living at a distance from their loading platforms cannot perhaps take that advantage; but they have the advantage that if the elevator operator does not do them justice, if they find him doing what is unjust, they can possibly, by combining with their neighbours, load their grain into the car over the platform and make just as much money. A large portion of the crop, according to Mr. Cassels, has been sold or shipped, transported in cars given to them on application. Before these platforms were introduced, I fought for them year after year in the House of Commons, and they told me I was antiquated; they told me that it was no way to handle grain, and who was going to build elevators and I said, 'Give me a hammer and saw and a square and I will put one up in a very short time.' We forced them to erect elevators along the main line of the Canadian Pacific railway till these little elevators look like a village or small town. No accommodation could be got without them and the Canadian Pacific railway was not able to provide cars to relieve the congestion that was apparent. I want to speak in the interests of the three hundred thousand people who are engaged in agriculture in that country and the millers also, because they hold the same views we hold in reference to this Bill and the prudence of retaining the stringent clause which we are now discussing. It is all important that they should have some encouragement when they are striving to do their duty and build up a civilization in the west second to none in Canada, that they should have a hearing as they have had before the government lately in Ottawa, and if there is one thing more important to them than another, it is the very questions that are embodied in these clauses that are now under consideration. They know quite well, from their experiences, that they cannot entertain any hope of putting a stop to the fraudulent manipulation of grain if the buyers are allowed to retain a connection with the terminal elevators at the lakes. My own opinion, which I have discussed with the officials of the Canadian Pacific railway more than once, is that if anybody is responsible for elevators in that country it is the railway corporations and not the people. I have illustrated in this way, and have received this answer by the leading officials of the Canadian Pacific railway; that if I put down two thousand bushels of grain in sacks upon your platform, would it not be expected that you should take care of this shipment of grain, and protect it from storms, dampness or rain; that if I was ready to pay and did pay the charges against it to an agent of the railway that the duty of preserving it and sending it forward from that point belonged to the railway company and not to me; so that it is not the people that are to provide the elevators. They are not the parties that are responsible for the means of carrying on this business as public carriers, but it is the railway companies, and if hon. members look closely into the Dominion Railway Act and the Common Carriers Act they will find we are right on that point.

The only reply given me by the officials of the Canadian Pacific railway is this—'Well, grain is a very important article. We are anxious to carry it at the lowest possible cost, and, therefore, wherever we can get any assistance, in the direction of lowering the cost of transportation, we are pleased to avail ourselves of it.' They never for a moment claimed that they had a right to ask people to put capital into building elevators. Sir Thomas Shaughnessy more than once said to me, 'I have never set up a claim that the railway company had a right to ask people to put in their cash; but we have given them this privilege to put in their money under certain conditions—that they should build a certain size of elevator, equipped with a certain kind of machinery, and we would provide the land for them.' But they never claimed that it was their duty to do so; it was their convenience to enjoy it, that is all. I have never spoken against the elevator system. It is perhaps the best system we can have for the handling of grain if we can get fair play and honest dealing in connection with it. There is a good deal of encouragement to the people in this Bill if you leave these clauses in it; but if you are to eliminate the first,

calling it a misdemeanour punishable by law—for that is what the government said when they asked us to consider and pass this Bill—if we allow outsiders to come in and establish themselves on Canadian soil and make money rapidly by violating our laws, and if this is to be tolerated, what will be the effect on our people in the west? I had occasion when at home a few days ago to meet a number of gentlemen who are grain growers, and what did they say? They said, 'we thought when we were coming to Canada that we were getting rid of this grain trust that caused us so much trouble in years gone by, but we find ourselves here in the midst of them the same as ever.' This is just what they complain of. These people are not strongly attached to our Canada as yet. They are making experiments. They have brought means with them and are making successful settlers, but they are annoyed when they find the government or any member of the government reluctant to protect their interest or indifferent to their interest in connection with the establishment of trusts in the country. I do not say that we are going to get everything that we wish, or that the country wishes, or that the evil will be remedied by this Bill. I have thought a great deal along another line and I will mention it for your consideration. My idea is that if we have a sample market—and these Americans buy in the sample market the same as the Canadians—and had a direct Canadian cable between the head of the lakes and Great Britain, the foreign market for grain, this business could be done with great success and profit, and I will show you the change it would likely bring about in connection with this grain business. If you tolerate the mixing of grades—and it is very difficult for us to say that we have yet the machinery to prevent it—these men from the other side can buy and mix grain and send it forward as American wheat. It goes upon the British market, we will say by the same means, but it is found that this American wheat is not what Canadian wheat used to be, and the buyers and millers of Great Britain will not pay the price for it. Now, if our Canadian shippers and exporters could send forward Canadian No. 1 hard and a higher grade by this means, and business can be done with expedition, it would obviate this difficulty, and our people in Britain would get the Canadian material as it is grown in the country. Then if they chose to buy lower grades they would do so with their eyes open, and would give value for what was offered to them in the market. It affects and would affect the trade in another way. There are a number of gentlemen in this House who entertain the idea that when a farmer sells his wheat and gets his money, he is done with it. Now, I want to show you what cannot be denied, that the grain sold in this way, and afterwards mixed and manipulated by these strangers, is put upon the foreign market, and when it is examined the price is fixed according to its value, so that it is the farmer next season that has to bear the loss of lower prices in the market. It is not every business man in the House who sees that clearly, but it is true gospel. It is what is taking place every day. You cannot get the same price for mixed grain that you can for the wheat as grown by our people. If business were done, for example, as they transact business in Bombay, Manchester and Glasgow, when cotton and wool are forwarded to the factories, where they are spun and woven, it would be different. A friend of mine showed me how the business in that line is done. He represented men in Glasgow, Manchester and different points, and by the Atlantic cable all the business was done, and very quickly. A very few minutes sufficed for him to read the messages, and if there was cotton in the market he would make his purchases, and immediately the transaction was concluded with the goodwill of the man who purchased it at home through his agent. There is no reason why we should not have British agents in Canada purchasing our grain. They need it, and would be glad to have it as we grow it; but when our grain merchants or farmers go home and see the stuff that is put up as Canadian wheat, they are ashamed of the whole business. They do not recognize it as the grain grown in the northwest. It is so mixed that it has lost its identity, and they have brought home the proof positive to show what fraud is

being perpetrated in that way. A good deal might be saved if we had the terminal elevators manage as the Canadian Pacific railway managed their elevators to the satisfaction of the people. There has been no complaint as yet of the way they manage the wheat. If this same thing could be done under regulation by law, and if passed through the terminals owned by the railway corporation, it would be beyond the reach of these speculators and manipulators, and if they sent it forward in a mixed condition they would suffer the loss in the price paid for the grain when it was put upon the foreign market. The loss sustained on that grain would come upon the individual that was guilty and not upon the innocent people who are seeking to make their living by their efforts in their own country. But as it is, the whole thing tells upon the profit and income of the farmers in the Northwest. I need not run over the many things which the hon. gentleman from Prince Albert (Mr. Davis) so plainly put with a degree of force. We believe that this Bill should go through as it is, that the government had some reason for putting in these clauses. As residents of that country, we know very well that there is ample reason for our defending the clause. If you talk about a fine of five thousand, ten thousand or twenty thousand dollars, they will pay it every month of the year and go on and do the same thing. You must attach some penalty that will bring them to their senses. We are not going to get over this difficulty for some years to come. I hope the House will not look at it altogether from the purely heartless commercial side. We are all trying to do as well as we can in the world. Every man has the right to do the best he can for his town, for himself and for his family, but if it is going to injure the country and discourage the strangers who come into our midst then it should not be allowed. I have talked to these people in private. My namesake, Mr. Douglas, who has been a financier for some sixteen or seventeen corporations and supplied them with the money to buy the grain, said to me: 'I do not know anything about the practical side of it at all, but I know that we supply the funds to buy wheat for some sixteen or seventeen corporations working in the Northwest. I talked to these leading men privately and they said 'there is no money to be made in straight good wheat.' I have talked to our oldest exporters in Montreal and I can give you the names of leading firms in Montreal who have had large experience. They say, 'Wheat is cash, and if we get good wheat we have to give good cash, and there is no margin to play upon in the market, but if it is announced in the autumn of the year that there is a frost in the northwest and that the wheat has been injured to some extent, then we throw up our hats for joy because there is a chance to manipulate and operate upon margin through defective grain.' These gentlemen who were with us the other week were very frankly willing to acknowledge unless they had the same privileges they had in Minnesota and were allowed to manipulate the lower grades the business would not be worth their attention. That is the way they looked at it. If these men are to be restrained, if the Americans who have settled in the northwest are to be satisfied, then something must be done. They tell us that they like our laws and country and they are pleased with the prospects, but noticing what was going on in this very House during the past few weeks, they feared they were going to be burdened in Canada just as much by the oppression of trusts and corporations as they have been in the country to the south. We have a right to do justice to every man no matter how poor. It is our duty to seek to work out the highest good for the greatest number. If these clauses are struck out you might just as well tear the whole thing to pieces for all the good it will do. A good many gentlemen, in connection with the majority report, had an idea that if the making of laws and regulations were left to the judgment of the commission which is to be appointed, it would be quite safe in their hands. In my judgment it will be a great deal more safe if recorded in the laws of Canada. If that cannot be done the end is not yet. Next year we will be just where we are this year, and the grain growers will come up in the same way, and will not be appeased until they

have some protection, something to assure them that they will have the even-handed justice which they have a right to expect. There is a statute in Canada that if a murder is committed the murderer shall be hanged. That statute does not hurt me, because I never will commit murder. I sleep well at nights and feel perfectly safe because the statute does not hurt me. This statute does not hurt these gentlemen, and I told them in private, 'It will do you no harm to have a black crow on the corner of your desk all the day long to remind you of fraud in connection with the grain trade.' It is not a myth, it is an established fact. It will be well to have attached to the law some penalty which will make them feel and take care how they conduct themselves in business circles in Canada. I should be very sorry indeed if we should do anything to perpetuate any system of fraud, by statute in the Dominion of Canada. We may be said to be extreme, but I am thinking of the experiences I have witnessed of these people who in the early days had to struggle with poverty and hard labour, and who are now in better circumstances. The country is doing well, and it is due to their labour, and they deserve every thanks at our hands and everything we can do for them to help them to develop the country and make it a great success. I earnestly hope that we will rise superior to any little petty advantage which a few commercial men claim to enjoy as their rights. It is not my right to do an injury to my neighbour if I know it. It cannot be a virtue, and it may be a fraud. Let us teach our people not only business and thrift, but let us teach them honesty. The government has done a great deal to teach them how to cultivate the land. There is no government that I know of in the world to-day that has done more to instruct the people than this government has done, to make them successful in their occupation. I conclude by leaving the matter wholly to the good sense of the hon. gentlemen of this House, and I hope that they will cherish the same idea as I have, and that they will allow the clauses to stand. If it should be found that the legislation is not right it can be remedied but we should try the experiment. We have had to make changes year by year, and it can be done again.

Hon. Mr. DERBYSHIRE, from the committee, reported that they had made some progress with the Bill and asked leave to sit again on Thursday next.

BILL INTRODUCED.

Bill (R-2) An Act respecting certain patents of Munderloh Co., Ltd. (Hon. Mr. Domville).

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, April 26, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

FIRST AND SECOND READINGS.

Bill (T-2) An Act respecting La Sauvegarde Life Insurance Company.—Hon. Mr. Béique.

CORONATION MILITARY CONTINGENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

Who are the members of the permanent force of the active militia of Canada forming part of the Canadian Military contingent to be present at the King's coronation?

What are their ranks in the militia and what rank will they occupy in the Canadian contingent?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1 It is presumed that this question only refers to officers of the contingent.

Name and Corps.	Rank and Appointment on Contingent.
Colonel A. Roy, M.V.O., A.D.C., Officer Commanding Quebec Command.	Lieut.-Colonel Commanding Dismounted Troops.
Lieut.-Colonel G. A. S. Williams, A.D.C., Royal Canadian Dragoons.	Lieut.-Colonel Commanding Mounted Troops.
Lieut.-Colonel G. La F. Foster, Permanent Army Medical Corps.	Lieut.-Colonel, Principal Medical Officer, Regimental Staff.
Lieut.-Colonel S. J. R. Sircom, Canadian Army Pay Corps.	Lieut.-Colonel, Paymaster, Regimental Staff.
Major A. O. Fages, Royal Canadian Regiment.	Major, Staff Officer, Regimental Staff.
Major J. J Sharples, Royal Canadian Artillery.	Major, Quartermaster, Regimental Staff.
Captain H. D. B. Ketchen, Lord Strathcona's Horse.	Captain, Adjutant, Mounted Troops.
Captain C. F. Constantine, Royal Canadian Horse Artillery.	Captain, Commanding Horse Artillery (subsection).
Captain P. H. Anderson, Canadian Ordnance Corps.	Lieutenant, "D" Company, Composite Infantry Company.
A royal Canadian Engineer Officer now in England, not yet selected.	Lieutenant, "C" Company.

CENSUS OFFICERS FOR CITY OF QUEBEC.

INQUIRY.

Hon. Mr. LANDRY inquired:

Who are the census officers appointed by the government for the city of Quebec?

Have these officers been appointed by the Governor General in Council or merely by the Minister of Agriculture?

Who suggested or recommended the officers for Quebec Centre, Quebec East and Quebec West?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Quebec Centre, Philippe Gingras, Edward Walling; Quebec East, J. Phileas Cantin, N. P.; Quebec West, Daniel Griffin, Michael Thibodeau.

2. By the Governor General in Council.

3. It is not customary to give such information.

APPOINTMENT OF COLONEL DICKEY.

INCOMPLETE RETURN

Hon. Mr. LOUGHEED—May I direct the attention of the right hon. gentleman to a return which has been placed upon the table as to the appointment of Colonel Dickey, of the 76th Regiment of Hants and Colchester. I am told by the junior member for Halifax, in whose interest I have made application for this return, that there are three letters which should appear upon that return that have not been attached to it.

Rt. Hon. Sir RICHARD CARTWRIGHT —What letters are they?

Hon. Mr. ROSS (Halifax)—Letters addressed to the Minister of Militia. I wrote four and only one has been returned. I have copies in my desk at Halifax. The three letters were addressed to the Minister of Militia on the subject of Major Burnhill.

Rt. Hon. Sir RICHARD CARTWRIGHT —I observe on February 14, 1910, that my hon. friend addresses the minister somewhat to this effect:

'I observe that Captain Coleman, of Truro, is trying to secure that position, claiming that Major Burnhill lives in Halifax. Captain Coleman belongs to your political opponents, &c.'

Hon. Mr. ROSS—That was the only letter produced. I wrote four others.

Rt. Hon. Sir RICHARD CARTWRIGHT —If I remember correctly, my hon. friend's criticism was that the Minister of Militia had been ignoring his political opponents. This letter appears to censure him for appointing his political opponent. I will call the attention of the minister to the omission.

SECOND READINGS.

Bill (N-2) An Act for the relief of Violet Jane Dakin.—Hon. Mr. Young.

Bill (O-2) An Act for the relief of Hugh Samuel Bell.—Hon. Mr. Young.

THE LIBRARY OF PARLIAMENT. MOTION.

The order of the day being called:

Consideration of the first report of the Joint Committee of both Houses on the Library.

Hon. Mr. POWER—This report states that at a meeting of the joint committee, held on the 27th of February last, certain plans were submitted by the Dominion architect, and the committee decided that these plans were to be adopted, subject to such alterations as may be required by the committee on further consideration. That is practically all the report says. I have been informed that, substantially, the recommendation which is contained in the report, is that an addition should be built to the Senate end of the parliament buildings, somewhat similar to the addition recently built on the western side, at the Commons end. That is, there would be an extension of the building eastward from the rooms of the Speaker, and, as far as I can gather, the addition would probably cost something like a quarter of a million dollars.

Hon. Mr. LANDRY—It would be on the same plan?

Hon. Mr. POWER—The same kind of an addition made as at the other end. The addition at the other end of the building cost about four hundred thousand dollars. I think that is a proposition which deserves the consideration of the House. Some years ago this same question was up before the joint committee, and they recommended a different scheme altogether. They recommended that, what one might call the vestibule to the library, that is the portion of the building lying between the Commons reading-room and the library, should be raised one story, and that that would afford accommodation for something like 60,000 volumes. It would relieve the present pressure, and enable us to have the newspapers removed from the floor of the library, and would cost not more than about $40,000. That change, comparatively inexpensive, would meet the urgent necessities of the case. If it is thought desirable afterwards to put up an additional building connected with the library, that could be done at leisure. The scheme submitted in this report does not meet the urgent demands of the present time. In the first place, the addition suggested would probably take three years to build, and the present congested condition of the library would become still more intolerable, and we would have to wait three years for relief. When this addition was completed, it would not be an addition to the library, but would be separate from the library a considerable distance, and would require, I suppose, an underground passageway to the library and an additional number of messengers in the library to carry books to and from the new structure to the library proper. It would require one clerk to take charge of the new structure. Of course it would afford, incidentally, some addition to the rooms occupied by the Speaker of the Senate. As to that, I think one can speak freely, because his honour the present Speaker, will have gone out of office a long time before that building will be ready for occupation, and, speaking as an ex-Speaker, I may say that on the whole the Speakers of the Senate have no particular reason to complain of the accommodation which is afforded them. I understand that the present Speaker of the House of Commons, instead of rejoicing over the addition to his apartments, is rather disposed to regret it, and inasmuch as it would involve some additional expense to the Speaker, and the furnishing of a number of rooms, I do not think myself, the country is called upon to make that expenditure. There is also the important fact that this proposed scheme will not meet the urgent wants of the present and would not really be an addition to the library as a library. As the suggested improvement will involve considerable expense, it would be better to let the matter stand over. For that reason I have the honour to move that this report lie on the table. We do not condemn the report, but we do not approve of it, and we leave the administration at liberty to deal with the matter as they please.

Hon. Mr. LANDRY—What will be done in the meantime?

Hon. Mr. POWER—The government had better take steps to meet the urgent need.

Hon. Mr. LANDRY—Are those steps to be taken by the government on the suggestion of the joint committee, or will they take it upon themselves to act upon their own initiative?

Hon. Mr. POWER—The report made some years ago, and adopted by both Houses, really leaves the matter in the discretion of the government, as I understand it.

Hon. Mr. LOUGHEED—Is it the intention of the Library Committee to remain passive pending the action of the government on the subject?

Hon. Mr. POWER—I am not a member of the committee and cannot tell the hon. gentleman.

Hon. Mr. LOUGHEED—Is it thought that the government will be so solicitous for the comfort of those who visit the library that they will revise their plans to meet the conditions? I am under the impression that the report will lie on the table and the government will remain perfectly inactive unless the committee press their views upon parliament.

Hon. Mr. LANDRY—I think the government should take action in the matter, or I shall be obliged next year to come with more inquiries, to the great annoyance of some of my hon. friends.

Rt. Hon. Sir RICHARD CARTWRIGHT—Though I am not in a position to say precisely what the government will do, this being a question which belongs more especially to the Department of Public Works, I may say that the government are in hopes of doing something to rectify the undue congestion, or at least the inconvenience to which parties using the library are now put; but I cannot tell him whether his suggestion, or the larger plan to which he has alluded, is to be followed. If he likes to put an inquiry, I shall of course obtain an answer for him.

The SPEAKER—I would prefer that some other member of the committee should speak, but as none have done so, I think it is only right that I should explain that the subject has received the attention of the Library Committee for some two or three years. There was a plan proposed, such as had been suggested by the hon. member from Halifax, of making an addition for stackroom, and so on, which would afford relief in the library by building up over the reading-room and the connecting passage to the library. However, at a meeting of the committee last year, that plan was criticised on different grounds; first, that it was of a temporary nature, and enough space would not be secured in that way to afford the accommodation needed, and the estimated cost was stated to be between eighty and ninety thousand dollars, so that there would be a very considerable expenditure giving temporary relief, and that not of an adequate character. The Minister of Public Works and the Architect were present at the interview, and the information as to the probable cost and the amount of accommodation that would be afforded, was derived by the committee in that way. Different plans were aired. One plan was that an extra building on one side or on each side of the present library building might be built, somewhat similar in character, only a small edition of the library in point of architecture, and that that perhaps would not interfere with the appearance of the building. But on examining the space and carefully considering the matter, the experts rather criticised that view, and said they thought it might be a disappointment. It involved two buildings to give any kind of accommodation. Ultimately the plan was considered which is now the subject of this report, and which consists in a plan of providing stackroom and supplementary accommodation for the books. It would provide the equivalent of four floors, all of which might be divided into two large rooms, giving large stackroom and storage. This is felt to be needed for the books as well as for the storage of papers, and so on, which are now encumbering the floor. Hon. gentlemen who have used the library will remember that in many cases there are three tiers of books

to be piled on each shelf. The shelves that were intended to accommodate only one or two tiers of books are now crowded by three tiers, in many cases, and it means the shelving accommodation as well as the storage floor, and other places, are overtaxed. Then the idea of the stackroom, such as suggested before, even if it were used for books, would only afford temporary accommodation, and something else would have to be provided very shortly. By the plan proposed, however, large additional accommodation could be had, and by the underground connection, so that communication could be had with the library, it was felt that no greater inconvenience could be experienced in getting books from that part of the building than is now, if you are obliged to get books from the gallery. On the whole, therefore, it seems that that was the plan that would afford very substantial addition to the accommodation, and with regard to the staff, instead of employing messengers to carry books by that underground way, it was suggested that pneumatic tubes could be used, so that an officer in the annex, if it could be called by that name, would be all the additional assistance required for some time. That tube system is not a novelty. It is now almost entirely used in providing books which are called for in the library at Washington, and is found to work very successfully. So that, on the whole, while it is felt to be a larger measure than the other proposition, it is a very desirable suggestion. It was considered also that it would give, to some extent, further accommodation for committees of the Senate, so that two or three committees could meet at the same time. That, however, the committee deprecated as being not part of the scheme desired. They thought the matter should be treated entirely as one having relation solely to the library accommodation required. Under these circumstances, the members of the committee felt that after all the efforts which had been made to arrive at a system by which some additional accommodation could be had, that this presented the best means of doing it, and they, on that account, in the presence of the experts of the Public Works, the chief architect being present, made the recommendation, and it was the unanimous recommendation of the members of the committee, composed of members of both Houses. Under these circumstances, I venture to suggest that tabling the report in this way, would be misunderstood by the House of Commons to some extent, and it may only retard doing that which is felt to be an urgent necessity at the present time. I venture to suggest, therefore, that instead of tabling the report, another course might be adopted, which would throw the onus of providing accommodation upon the department instead of leaving it to the committee.

Hon. Sir GEORGE W. ROSS—I think this House should not put any obstacle in the way of enlarging and improving the library accommodation. I remember nearly some thirty years ago it was felt by members of the House of Commons, that even then the library was congested. There is now no room for newspaper files easy of reference, as any member must know by experience. It is impossible to make a classification of such material as is used by the members of the House in order to have easy reference. A library, such as we require, ought to be so classified that members of this House, and members of the other House, could easily avail themselves of its contents, without any reference to the librarian. I had the pleasure of being very familiar with the old library as then arranged, and without any reference to the librarian or his assistant, I could easily find anything I wanted. The library is now so over-loaded, not only with parliamentary literature, but literature of another kind, that without the assistance of the librarian and one or more of his clerks, you are at a loss to find anything you want. As I understand, it is proposed to make an addition to this end of the building corresponding to the addition made to the west end. The Senate should not throw any obstacle in the way of improving, first the general appearance of this building and secondly, affording the accommodation required. At Washington, they have a six million dollar building which is a credit to them. It ought to be, for the money. This small expenditure, considering the advantages which it will afford to

the members of both Houses, will not be considered extravagant. There are a great many thousand volumes in that library that are not used very much by members of parliament, light literature and fiction, and sessional papers from the various states of the American union. Statutes from nearly every state in the Union, and from all of His Majesty's colonies all over the world. These are only required occasionally. There could be a sharp division made between what is fairly constitutional and parliamentary literature, and literature of that kind. If I had a suggestion to offer, I would say that the old library should be embellished and made attractive, if possible, for it is a beautiful building internally, and what is purely parliamentary literature and constitutional should be retained in the old library, and this overflow, or surplus, or what is not often required, and which was really the public library for the city of Ottawa before the present public library was established, should be transferred to the new building and some officer put in charge who could meet the wishes of members of parliament who required that class of literature. I think it is unfortunate that when we want to refer to files twenty years old, most valuable in the history of our political institutions, it is almost impossible to find them. They are stored away in the basement, you don't know where they are. There is no shelf-room, no desk-room or table-room for reference to them and they are so mixed up that, without reference to one of the older clerks, you may not be able to find them at all. I do not think we should hesitate for one moment to support the report that has been made to this House. Parliament has been very dilatory in that respect. It is not to the credit of parliament that the literature used by members of both Houses should be difficult of access, and if it would be in order I would move that the motion of my hon. friend from Halifax should be amended and that the report should be adopted. The government architect should be encouraged to proceed with his plans at once. The members of the government should be encouraged to spend this money. Let its main purpose be for literary uses, and if it can serve any subsidiary purpose well and good; but let us have that accommodation at once, and let visitors to this House see that we have some respect for the storehouse of literature so useful in history and constitutional law. At any other stage in the debate, I would move some such an amendment, or perhaps the member from Halifax will withdraw the motion and give us liberty to adopt it without division.

I move, seconded by the hon. Mr. McMullen, that the report be adopted.

Hon. Mr. WATSON—There can be no question as to the necessity for larger accommodation to the library. That matter has been discussed by members of both Houses for a number of years. So far as I am personally concerned, and so far as a number of the members of this House are concerned, they have some doubts as to the wisdom of proceeding to enlarge the library upon the plans suggested. I have an idea that a better plan for the library could be devised than the one proposed, which would be an extension to the present library out to the brow of the hill. Of course, there would have to be an underground connection. A very ornamental building could be erected in that locality, and we would have good light on all sides. Some three or four years ago, when the government undertook the expenditure of four hundred thousand dollars for the erection of a building at the northwest corner of this building, it was hoped that certain accommodation could be provided. That building has been erected, and so far as the public convenience is concerned, I do not think there is one room in the whole building that is occupied more by the public except the restaurant, upstairs. We had hoped that some of the committee rooms that ought to belong to the Senate and that are now used by the House of Commons, would be given back to the Senate. I do not think there is one room in that new building that is used as a committee room, and the only room for the convenience of the members generally is the restaurant, on the upper floor. I do not know what particular plan would be followed if a building were erected here; but there is another question which will have to be considered by the government in the near future, and that is the

enlargement and improvement of the assembly chamber. There is no doubt that the style of building, the ventilation and general conditions in the House of Commons demand that in the very near future there shall be better accommodation furnished for the members of that chamber. There is also the question of space to be considered; how will the additional representation from the Northwest be accommodated in the present Commons chamber? For all these reasons, I rather approve of the idea suggested by the hon. gentleman from Halifax, of laying the report on the table, simply calling the attention of the House to it now, in order that members may give it more consideration, and with the hope that some better plan than has been suggested yet may be adopted. The subject demands careful consideration. I do not think we should act too quickly in having a building constructed which may be of no more service to the country than the one which has cost $400,000.

Hon. Mr. POWER—I forgot when speaking before to mention that the former scheme was concurred in and recommended by the librarians, who are the people one would think would give the most thought to the best way of relieving the congestion in the library, and that they have not signified their approval of the latest scheme.

Hon. Mr. DANDURAND—When a report is presented for consideration, it seems to me that there should be a motion also for its adoption or rejection.

Rt. Hon. Sir RICHARD CARTWRIGHT—I might point out to my hon. friends on my left that this is a question which involves a considerable expenditure of public money, and in view of the fact that the attention of the government is being called to the matter, as I mentioned a little while ago, it would be better to adopt the suggestion of the hon. member from Halifax to let the report lie on the table. I may be able within a few days to make some announcement on the subject. The Department of Public Works is wrestling with the problem of how to meet the desires of the two chambers, and the best way of enlarging the library accommodation. That I know, and so much I can communicate to the House, though I am not at liberty to go any further.

Hon. Mr. DANDURAND—We have already waited so long that I wonder if we are not very near the point when there will be an urgent necessity to grapple with the difficulty of enlarging the House of Commons or building a new one, and I myself feel that perhaps it would be better not to rush this scheme through just now until some little time has been given to the government to see what is best to be done.

The amendment was declared lost, and the motion to lay the report on the table was agreed to.

SECOND READING.

Bill (No. 64) An Act to incorporate the British Columbia and White River Railway Company.—Hon. Mr. Yeo.

JUVENILE DELINQUENTS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (M-2) An Act to amend the Juvenile Delinquents Act, 1908.

(In the Committee.)

On clause 1,

1. Section 19 of The Juvenile Delinquents Act, 1908, chapter 40 of the statutes of 1908, is amended by adding thereto the following subsection:

3. No child of a religious faith other than the Protestant or Roman Catholic shall be committed to the care of either a Protestant or Roman Catholic children's aid society to be placed in any Protestant or Roman Catholic family as its foster home unless there is within the municipality no children's aid society or no suitable family of the same religious faith as that possessed by the child or by its family, and, if there is no children's aid society or suitable family of such faith to which the care of such child can properly be given, the disposition of such child shall be in the discretion of the court.

Hon. Mr. LOUGHEED—Can my hon. friend say what has given rise to this measure?

Hon. Sir RICHARD SCOTT—The object of the Bill is to enable the Jews of the city

of Montreal to have members of their own religious faith appointed by the judge——

Hon. Mr. LOUGHEED—I can appreciate the application of a very large religious denomination like the Jews, but in many western cities where there are forty or fifty different faiths, owing to the large immigration of people from southern Europe, how will it operate?

Hon. Sir RICHARD SCOTT—It will rest with the judge of the court. This Act is not in force in all the provinces, and it would not apply until the legislature of a province adopted it, so that it rests entirely with the provinces of Alberta and Saskatchewan to adopt the Act or to refuse to adopt it. They may want some modification of it. The only western provinces where it is in force are Manitoba, and British Columbia. They are now putting it in force in Quebec, and as there is a Jewish population in Montreal of about 40,000 people, they have asked that their children be placed under the control of the court, and that the committee to look after them shall be of the Jewish faith.

Hon. Mr. LOUGHEED—What court is this?

Hon. Sir RICHARD SCOTT—A special court named for the purpose. It is a matter of arrangement in the different provinces as to whom may be appointed.

The clause was adopted.

Hon. Sir RICHARD SCOTT—It has been suggested as necessary that subsection 2 of clause 23 of the original Act be amended by adding after the words, 'Or a sub-committee thereof' in the third line the words, 'If willing to act.'

The amendment was adopted.

Hon. Sir RICHARD SCOTT—Then it is proposed to add subsection 3, as follows:

Section 23 of the said Act is amended by adding after the words 'is in force' in the second line thereof, the following: 'Or no such society willing to act.

It is necessary simply because parties have been delegated to act and have declined.

Hon. Sir RICHARD SCOTT.

Hon. Mr. WILSON—If there be no one within the municipality willing to act, what then?

Hon. Sir RICHARD SCOTT—The judge of the court will appoint.

Hon. Mr. WILSON—You would then leave it in the hands of the court?

Hon. Sir RICHARD SCOTT—Yes.

Hon. Mr. CAMPBELL, from the committee, reported the Bill with amendments, which were concurred in.

HOURS OF LABOUR BILL.

DEBATE CONTINUED.

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading of Bill (No. 3) An Act respecting the Hours of Labour on Public Works.

Hon. Mr. BEIQUE—I have but a few words to add to the remarks which I made the other day on this Bill. As I stated, in my humble opinion it is a question in which both capital and labour have a common interest, and if the hours of labour are to be shortened, they should be shortened not only as regards the construction of public works, but in the interest of labour generally, and because it is not against the interest of the country at large. I have very strong doubts as to whether it would be in the interest of the country at large. Take for instance, the effect on agricultural labour. Agriculture in the neighbourhood of large centres is demoralized because it is very difficult to obtain labour at prices which prevail for farming purposes when much higher prices are paid in large cities. If we were to add to the condition of things now prevailing the further condition that people employed in the cities would work only eight hours a day, which is quite an impossibility on farms, there would be a great danger that farm labour would be altogether demoralized.

Hon. Sir RICHARD SCOTT—This does not apply to farm labour or any other labour but government labour.

Hon. Mr. BEIQUE—I know perfectly well that it does not apply to farm labour; but

I fail to see the reason why this rule should be applied to public works if it is not to be applied to other work. The hon. gentleman cannot offer any substantial reason in support of his proposition. If we enact this Bill it will have the effect of creating an agitation to have the same rule applied to other occupations of life.

Hon. Sir RICHARD SCOTT—That is the effect desired.

Hon. Mr. BEIQUE—This is an agitation which exists more or less in every country in the world, and it is time that we should grapple with it, and do so in a proper way, and although at first sight I am against the shortening of the hours of labour to eight hours, my mind is open to conviction. Although this Bill has been passed by the House of Commons, I think it would be advisable for the Senate not to pass it the present session. Next session I will undertake to move that the question be referred to a special committee of this House for the purpose of using the report made by the Special Committee of the House of Commons with a view to making a more complete study of the question and ascertain whether it would be in the interest of the country at large to shorten the hours of labour in all occupations, or in certain occupations of life; but it would not be the proper course to introduce the system on public works only, because it would have the effect of exciting discontent and intensifying the agitation which already exists. Either the agitation is well founded or it is not well founded. If it is well founded, then let us apply it to all places where it can be applied in the interest of labour. If it is not well founded, what reason is there for applying it to public works? I fail to see any reason. For these reasons, I shall vote against the Bill, and I will wind up my remarks by moving that the Bill be not now read a second time, but that it be read a second time in six months, and I will undertake to move that the question be referred to a special committee.

Hon. Mr. LEGRIS—To my mind, if the time has come when we should pass this law, it should be in a general way and not for one purpose only, and not for one class of working man, but for the whole population at large. I can see no justification for an exceptional law in this particular case more than in any other. I am not ready to admit that such a law should exist in this country. I entirely agree with the hon. members who have already spoken in opposition to this measure. I need not repeat what they have said. I will only draw the attention of this House to the fact which was mentioned by the hon. gentleman who preceded me, and I think it has been overlooked. We all know that Canada is first of all an agricultural country. We know also that it is utterly impossible to get through with a day's work on a farm in eight hours. The farmers of to-day have much difficulty in securing labour and they are inclined to give up the country life and move to the cities with their families, and endeavour to make a living in some manufacturing centre. If this Bill becomes law, it will be a further inducement to them to give up working on the farm and move into town, in order to enjoy the advantage of a shorter day's labour. I have no hesitation in saying that if we pass this law the principle of an eight hours day labour law will be established; it will be the first step towards the general application of the law and at a subsequent session we shall be compelled to extend it to other workingmen of the country. Then those remaining in the country to perform the work on the farm will learn of the existence of that eight hour law. They will refuse to work any longer than their friends, or their fellow-citizens in the city or elsewhere. My experience is that on farms surrounding the villages and small towns, when the working man hears the whistle of the neighbouring factories, we have to give up the job, because we are not able to get reasonable work from the men. Consequently, this Bill would perhaps indirectly be a blow to the farming community and a harm to the country at large. For these reasons I think it should not be adopted by the Senate.

Hon. Mr. CAMPBELL—I hope the motion for the six months hoist for this Bill will not be adopted. When I introduced

the measure I said that if the senators would concur in the second reading without committing themselves to the principle of the Bill, I intended to refer it to a special committee. That committee I propose to be composed of the following gentlemen: Hon. Messrs. Casgrain, Watson, Baird, Power, Thompson, Sir Mackenzie Bowell, Lougheed, Ellis, and the mover. There was a committee appointed in the House of Commons who went very fully into the question, and whose report is published in a very voluminous document, yet I doubt if very many members of the Senate have perused that document or really know the evidence that was submitted and the reasons that induced the House of Commons to pass this Bill unanimously. So I thought by referring it to a committee such as I have named, they could discuss the evidence that has been laid before parliament and would be able to come to a conclusion and offer a recommendation to the Senate which would be a valuable one. I am quite opposed to the views that have been enunciated by the hon. gentleman from De Salaberry (Mr. Beique), and the hon. gentleman from Repentigny (Mr. Legris). First it was proposed that this Bill was not within the power of parliament to pass. That was proved to be erroneous by the fact that parliament has acted already in this matter by establishing the fair wage clauses. So that it is undoubtedly admitted that parliament has the right to pass this Bill. It is also contended that it is objectionable because it does not apply to all classes and all trades. That I think is a one-sided and narrow view to take. The Bill only applies to public buildings. If we start with that, and it proves in the interest of the public, why should we not extend the principle? If it does not prove to be in the interest of the workingman and of the country, then, parliament will not go any further. In any event, I think it is right that we should make a start, more especially as eight hours is recognized as a day's work all over. You cannot get a mechanic in the city of Toronto to work more than 44 hours a week, 4 hours less than this Bill provides for. It is the ordinary rule that eight hours shall constitute a day's labour, and I doubt very much if in many public buildings that are constructed to-day the workmen work more than eight hours a day. Therefore, in providing that eight hours shall be a day's work on buildings erected by the Public Works Department, we are making a start as it were. If it proves to be in the interests of the workingman and the community, everybody will rejoice and we will go further. If, on the other hand, it does not, we certainly shall not go any further. It has been pointed out that the main object of parliament, while they have to consider the interests of all classes, should be to carefully guard the interests of labour. The wealthy man, the rich corporations, the railway companies have abundant means to bring influence to bear upon parliament, and their rights are always protected; but parliament should watch and guard the interests of the man who earns his daily bread by the sweat of his brow. I am glad to know that the Bills that have been passed by this and previous governments looking to the benefit of the workingman have all tended to elevate and ennoble the position and standing of the workingman, and I venture to say that in Canada to-day our mechanics and artisans occupy higher and better positions than mechanics and labourers in almost any other part of the world. I remember when it was the custom to work from sunrise till the stars were shining at night. That system was not conducive to the best interests of the country. It was not elevating to the workingman. It was not in the best interests of the country or of those who own the farms, because it is utterly impossible for a man to work such long hours and do as much for his employer as he could within reasonable hours. The public have been educated to better ideas, and the hours of labour have been shortened and the conditions of the workingman have been greatly improved. The condition of the manufacturer and employer has also been greatly improved. What class of men are doing as well as the farmers of this country, and they do not now work their men from daylight until the stars are shining at night? They work reasonable hours Men can do more work in shorter hours when they have their strength and

energy left than they can when they work until they are exhausted. They can do a great deal more in eight hours than they can in twelve. I think this Bill is a start in the right direction. If it is not in the right direction, that will be demonstrated after it has been tried. If it is in the right direction, then we want to follow it on; but if it is not, we need go no further. If this House will pass the second reading of the Bill and allow it to go to this special committee, composed of very influential men in the House, they can look into the matter fully and make recommendations that I think will be acceptable to the Senate. I hope hon. gentlemen will not vote for the six months hoist, but give the Bill its second reading.

Hon. Mr. BEIQUE—The motion is in the direction in which I intended to move at the next session, and I have no objection, with the leave of the House, to withdraw the motion which I made. I thought the object of the hon. gentleman was to refer the Bill, in the ordinary course, to the Standing Committee on Railways, Telegraphs and Harbours; but when he wishes to refer it to a special committee, which committee will make a full inquiry not only as regards this Bill, but as to whether this principle should be applied to the country as a whole, then I am quite in accord with it. I think it is too late for the present session, but I have no objection to withdraw my motion.

The motion in amendment was withdrawn.

Hon. Sir MACKENZIE BOWELL—Do we understand that the hon. gentleman wishes to withdraw his motion?

Hon. Mr. BEIQUE—Yes, because the Bill is to be referred to a special committee, which will inquire into the wider question

Hon. Sir MACKENZIE BOWELL—It is not my intention to oppose the second reading, for the reason the hon. gentleman has given, that he proposes to refer it to a special committee. I would like to point out that the Bill is not of that character that the late ex-Secretary of State described in the pathetic appeal he made to this House to pass it. The hon. gentleman indicated to the House, and repeated it over and over again, using his own words, that this was a Bill 'to permit and allow and authorize the government to do certain acts.' The Bill is compulsory to the extent to which it applies to the workingman, and is not of the character described by the hon. gentleman who spoke so pathetically on behalf of the workingman. I am not at all in sympathy with this constant cry, which was indulged in to such a great extent by my hon. friend to whom I am at present alluding, when he spoke of men who have acquired some means in the country and are designated as capitalists. I look upon that kind of a statement—I will not dignify it by the word argument—as something put forward to inflame the electors. I do not think it becomes a gentleman occupying the position my hon. friend does, or any one else, to keep constantly appealing to the crowd when speaking to a deliberative body like the Senate. I do not think it is judicious nor is it dealing as we should deal with a subject of so great importance. I was not at all surprised to hear one hon. gentleman, who occupies a seat behind me, declare that the Bill having been passed by the Commons unanimously, therefore it was the duty of this House to accept it without consideration, and that it was contrary to constitutional usage for this House to reject a measure of this kind, but I must express my very great astonishment to hear the same argument proclaimed and advocated by the ex-Secretary of State, who has had so much experience in dealing with questions of this kind, and who has been so long, not only in this Chamber, but in others. I was astonished to hear him state that a deliberative body like this was bound to accept a Bill of this kind simply because the Commons had declared unanimously in favour of it. If that principle be correct, the sooner the Senate is abolished the better, because there can be no possible necessity for a second Chamber if we are expected to accept without question everything that is sent up to us from the other House. This body has been constituted for certain purposes. Any one who knows the constitution

of Canada must conclude that a second Chamber should be of some use, and I know of no instance in which it should use its independent thought more freely than in the case now before us. The hon. gentleman went further; he said that the government had already adopted the principle, and that parliament had given them the power to regulate the hours of labour in the Printing Bureau. That is quite true. They asked for that power, and it was necessary that they should have it, perhaps, though I am not prepared to say it is absolutely necessary, because every employer of labour can regulate the hours for which he is willing to pay those who work for him. It was not, therefore, absolutely necessary, but it is on the statute-book. The hon. gentleman who introduced this Bill spoke very feelingly on the subject of the workingman, but he scarcely touched the provisions of the Bill. This measure only applies to contracts for the construction of public buildings. The government may, for instance give a contract for the building of a wharf, and another contract for the construction of a warehouse on that wharf. The men working on the wharf may be obliged to work ten or twelve hours a day—in fact there is no restriction as to the number of hours they may be required to work. But the contractor who is building the warehouse can not require his workmen to work for more than eight hours a day. I am not opposed to the restriction of labour to eight hours where it can be done in any branch of business, but if it is right in one case it should be right in all cases. After hearing the evils of working more than eight hours a day, it is a marvel to me that there are now any people alive. I commenced work to earn a pittance when I was nine years of age, and have been working ever since, often fourteen and fifteen hours a day, and I am under the impression that it has not hurt me.

Hon. Mr. CASRAGIN—The hon. gentleman was stronger than most people.

Hon. Sir MACKENZIE BOWELL—I do not know that I am stronger, but the exigencies of my business demanded it at times. The hon. gentleman must know that there are times in all printing establishments when the employees have to work almost any hours in order to get out the edition of the paper. The best principle, to my mind, is to allow people who employ labour to make their own bargains. This is supposed to be a free country; but the laws we are asked to place on the statute-book would soon cease to make it free. We would be governed by arbitrary laws, some of which are absolutely incapable of being observed. I am denounced very often as an old Tory, but I must confess that the radicalism of the present day as embodied in Bills of this kind, is more arbitrary and tyrannical than any legislation of the past to which mankind has had to submit. I agree with the hon. gentleman from De Salaberry (Hon. Mr. Béique) that we should act with due deliberation on a question of this kind. The hon. gentleman from Halifax (Hon. Mr. Power) raised the constitutional question, as to how far we can properly deal with a measure like this which affects civil rights and property. The answer to that I know is that the government, being the party making the contract, has a right to impose such conditions as it pleases. If so, why not leave it in that position? The law gives the government power to regulate the hours of labour in the Printing Bureau, but there is nothing compulsory in the law. Then, why make this compulsory? If you make it compulsory, do you not infringe on the right of the province to deal with matters affecting property and civil rights? If you leave it in the power of the government to do as they please, they can make such arrangements as they see fit with their men. I have had men in my employ who have been with me for 20 years, and have had no trouble with them. If every employer would treat his men properly, there would be no difficulty in dealing with them unless some labour organization interfered and prohibited the men from doing more than a certain amount of work within a specified time. I know that has been done in the county where I live. In the quarries, the labour organization says to the men cutting stone, for instance: 'You are not permitted to do more than so much. If you do more than your neighbour, you will create distinctions.' We know that some

men can do more work than others, and the labour organizations are trying to reduce all to the one level. The time is rapidly approaching when parliament will have to interfere to prevent the arbitrary demands which are being made upon labour by labour organizations. I am surprised that the representative of labour in the other Chamber was willing to accept a Bill of this kind, so narrow in its character and impracticable in its working.

Hon. Mr. ELLIS—I expressed myself against sending this Bill to a special committee, because, as I pointed out, a committee of the Commons had thoroughly investigated the matter and had reached certain conclusions. I may have said, and I think some other hon. gentleman said, that it would be well to give this matter the best consideration possible, inasmuch as the House of Commons had given it careful consideration, and it was supported by the members of the government who had directed the whole management of the campaign in the House of Commons. I did not take the ground that because the Commons pass a measure it should be passed here without question, but when those who deal directly with the people have given a great deal of consideration to a matter, we in this Chamber should not hurriedly reject a measure which had received unanimous support in the popular Chamber. I was glad to hear the hon. member from Belleville (Hon. Sir Mackenzie Bowell) say that he was not entirely opposed to eight hours a day—

Hon. Sir MACKENZIE BOWELL—I do not desire any law to compel a man to work only eight hours a day.

Hon. Mr. ELLIS—Of course we must act with the best instruments in our hands, and endeavour, if possible, to keep thoroughly conversant with the great questions which affect the people. My hon. friend from Halifax referred to the constitutional question, and my hon. friend opposite has also mentioned it. The people have a way in the end of getting around such questions. In the state of New York, a few years ago, the Supreme Court decided that legislation establishing an eight hour day was unconstitutional. What did they do? Every five years the constitution may be revised, and the people revised their constitution and made legislation dealing with the eight hour day constitutional. We have to meet these cases and face these facts. We cannot get over it, and the best course to pursue is a moderate and reasonable course. I shall not say that I will not serve on my hon. friend's committee. It seems to me it would be much better to accept the Bill as it comes from the other House.

Hon. Mr. COSTIGAN—I feel deeply interested in this question. I am sorry to hear the arguments against the second reading of this Bill advanced in this Chamber. I followed the debate closely in the other branch, and I find a great divergence of opinion between the two Chambers. The arguments used here are diametrically opposed to the arguments in the other branch. Some hon. gentlemen state that the Bill does not go far enough; others say it goes too far; that it is arbitrary. It does not go very far. It only asks one thing, a most reasonable request of this parliament. The argument was advanced by one hon. gentleman that the Bill, after a full and thorough inquiry having unanimously passed the House of Commons, which was presumed to know the feeling and interests of the working people, it might well pass here. I do not interpret that assertion as being one laying down the principle that this House is bound to swallow everything the House of Commons passes. I do not think that is a legitimate argument to apply to this case. It has been suggested that this is the thin edge of the wedge, and that if we grant the eight hour provision, the labour interest will be back here next year and ask for a six hour provision. I think that is an illogical way of arguing any public question. If a proposition is reasonable and just in itself, I say accept it. If the parties seeking this concession come back to-morrow and ask something unreasonable, reject it. In view of the fact the Bill simply embodies one provision, for an eight hour day, and limits it to one particular class of works, which is quite consistent with the existing arrangement with regard to the fair wage

clause in the government departments, I see no objection to it. We have heard the farmers, manufacturers and all classes in this country. There is no more important class in Canada than the labouring man. There is no wealth in this country that has not been built up by him. There can be no wealth in any country without labour, and I am sorry there is not more sympathy shown for that class of people in this Chamber. They might retaliate very well and say that we are seeking here simply our own comfort, and that we might be a little generous towards the men who have done so much for the country and pay so much for the comforts we enjoy. I will vote for the second reading, on the principle laid down by the mover, that it is going to a special committee, though I would have much preferred voting for the second reading without any reference to this special committee.

Hon. Sir MACKENZIE BOWELL—I referred to the principle laid down that because the Commons have passed this Bill we ought to accept it. I was only repeating what was uttered on the floor of this House, that we had no right to reject the Bill after it had been passed by the House of Commons. Those who hold the opinion that I do, have just as much sympathy with the workingmen as my hon. friend who has just spoken, but I cannot come to the conclusion that there are no other interests at stake in this country except the workingman's, and I would like to have a distinction drawn as to what constitutes the workingman. I think my hon. friend and myself have both worked with our hands and other ways.

Hon. Mr. ROSS (Halifax)—I have listened with a great deal of interest to the address of my hon. friend from St. John (Hon. Mr. Ellis). He took us to the land of Goshen, where the Israelites were compelled to make bricks without straw. To make bricks with straw to-day would be considered a hardship. In South America they build houses with brick that is dried by the sun. He also brought us to Greece and Rome, and gave us a piece of French history. I am in sympathy with the Bill, and I agree with the hon. member from Ottawa, that there is no necessity for it to go into committee, and the House should deal with it now. I am a labouring man. When I was young I used to go to the barn and throw down 24 sheaves of oats and thresh them with a hand flail, with my father, right and left. I would then run in, wash myself, get breakfast and walk two miles to school. Those were the days when there were no shoes and overcoats and we endured hardships in going to and coming from school. They do not work more than six hours a day in the post office or customs house. On board ship the orders are for a four hours watch. The men who are forward on the lookout work for four hours, and the men at the wheel, are relieved at the end of four hours. This Bill cannot be made applicable to every subject. For instance, we may have a rainy day, and then a fine day and the hay has to be spread and the farmer works from morning until night. In the mackerel haul they have to dress the haul of fish within the 24 hours, and men have to work night and day in a case of that kind. This Bill can be made applicable to masons, carpenters, tailors and a great many others. Those who have had experience in printing will admit that to set type for eight hours is a day's work. I do not see any reason why this Bill should go to a committee.

Hon. Mr. WILSON—While I have every sympathy, as far as sympathy is needed, with the labouring classes, and I am well aware that they are building up the country,—and we are all striving to do that—yet I do not know that they should have all the sympathy on account of their labouring six or eight, or whatever number of hours they may. I have always been fully disposed to favour the labouring classes. We are all labourers. None of us are above labour. I have been listening as carefully as I could for some just reason why this Bill should be introduced. I would like to know why eight hours should be the limit of a day's work. Does the hon. gentleman pretend to tell me, and is it the general impression, that an ordinary labouring man cannot work more than eight hours a day? Is that the extent of his ability to work? I have heard some say that they can get as much work out

of men in eight hours as they could in twelve. Perhaps they can. Perhaps they stand over them, and make them work so hard that they are physically exhausted before the eight hours are up. Will any one say that the human system is so degenerate and so weakened and so impaired that a man is unable at the present time to do more than eight hours a day labour? I have worked, ten, twelve, and even twenty-four hours a day and felt that I was able to do my regular share of work at the expiration of that time. I am not prepared to say that I am going to vote for this Bill through sympathy with the labouring classes. I believe in giving them justice. They do not want any more than simple justice, and we ought to be willing to grant them that. While we are doing that, we ought to consider whether we are doing justice to other interests. We are asked to say that they should work eight hours a day only when they are employed on government work. If it is good for government work it ought certainly to be good for every work. We are not legislating for the government alone. That is not our duty. We owe a duty not only to the government but to the citizens of Canada, and if a limit of eight hours a day is necessary for men working on government buildings and government work, it certainly is important that they should not work any longer than eight hours upon other work, and that professional men should not work any longer than eight hours. It must be that if anything, and it must be that it is thought that the human being is not capable of continuing physical or mental labour longer than eight hours before becoming exhausted. Our forefathers worked twelve, and sometimes twenty-four hours incessantly a day. And they raised strong, healthy children, and the race at that time was as efficient as it is at the present time. It is idle to contend that men should not work longer than eight hours a day because their children will be physically and mentally impaired and will not become useful citizens of the community. My hon. friend from Brockville says they will not get children at all. Perhaps he is speaking from experience or from the fullness of his heart, I do not know which; but I have reason to believe that physical exertion by the working classes will not impair them intellectually. We do not find that the children of the labouring classes from the country are less aggressive in the various walks of life than the children in the towns or cities. If working longer than eight hours will impair their physical constitution and weaken their offspring, how is it that the children of the labouring man in the various parts of the Dominion, on the farms and in other occupations are to a very great extent equal if not superior to those living in cities and towns? I see no justification for the application of the eight-hour principle. Then in regard to civil rights or contracts under the local jurisdiction, the question in my mind is, what right have we here to say that a man shall work only so long and no longer'? I think he has a right to work as long as he desires, if he feels himself capable of performing the work, and there is no reason why a limitation should be fixed upon employer or employee. The employer will keep his man as long as he does work commensurate with the wages he receives, and the labourer will keep his employment as long as he feels able to perform his work efficiently without too much fatigue. When he tires it is very likely he will quit, and why should we legislate that a man should not work longer than eight hours a day? Are we going to punish him and fine his employer? Are we not free in this chamber to exercise our own judgment and do as we desire? We do not want class legislation and do not want to be told, 'The labouring man shall work only so many hours.' They have a right to work longer or shorter hours as they feel disposed. We are all free moral agents and when a man is 21 he is supposed to be his own master. Legislators who sympathize with labour will soon be telling us that we are not to sleep longer than a certain number of hours, and will prevent us doing other things which we are at liberty to do at present, all on account of sympathy. They sympathize with a class, and, therefore, propose to pass legislation which is uncalled for. The eight-hour day is under this Bill applicable only to the powers that be, and what

is the object of it? There must be a reason, yet the reason is not given. If it be that the labour organizations are promoting this legislation, perhaps they will try to limit something else later on. I would act in regard to this matter in a way that will do justice and fairness to the labouring classes and those who employ labour. We have no right to say to the government, when they have public works to construct, that they shall not be permitted to hire men under what terms they please so long as they pay them fair wages and the men are willing to work for those wages. That is the proper thing to do, and the correct course to pursue. While I am willing to do everything in my power to further the interests of labour, I believe that this Bill would be an injustice, rather than a benefit to the labouring classes. I am not convinced of the necessity for this measure. I do not know whether this Bill was brought forward in the interests of the government, or in the interests of the labour organizations, or whether it is the fancy toy of some private individual. I certainly am opposed to the measure and will vote against it, because I believe it is not in the interest of the country at large. With regard to the question of jurisdiction, as I am not a lawyer, I am not prepared to say whether the local legislature has control of this subject or not, but if they have, I do not see why we should limit a certain number of employees to eight hours a day, and permit the remaining employees of the community to work twelve, sixteen or twenty hours. Is there any fairness in that? Is there any reason why such a law as that should be placed upon the statute-book? It would be almost a blank on the statute-book. It ought to be entirely a blank there, because I believe we ought not to place upon our statutes anything which is not fair and just to all parties, and we should give every person the same right and privilege.

Hon. Mr. POIRIER—I cannot permit the vote on this measure to be taken without expressing my views, the more so because they in no manner of means tally with the views of my hon. friend who has just resumed his seat. I take a broader view than that which has been taken by most of the orators on the question. The eight-hour proposition means more than what it appears to imply. It is a question as to whether humanity moves forward or remains in statu quo, which, as we all know is really moving backwards. We are proud of the civilization of this twentieth century, and why are we proud? What is the difference after all between this century and the centuries that preceded this age? Two or three thousand years ago, in matters of thought, certainly in matters of religion, in matters of philosophy, esthetics, poetry and fine arts, men were as far advanced as we are to-day, and still humanity was labouring under conditions that could not be accepted to-day. Then humanity was divided into two classes, the class that enjoyed themselves, the free citizens, which were the minority in many instances, and the other class, which worked, in order to enable the former to enjoy life.

Those who were above grew higher as those who were below sunk deeper. That continued until the abuse of those who were below by those who were above brought on those wars of which we read in all times, the most sanguinary of which was the French revolution, in order to bring about a condition of social equality. Those who help power invariably called those who brought on the trouble anarchists, the dregs of humanity, men who were wholly bad and must be subdued. That was all right from their point of view, but it was all wrong from the other point of view, and in the light of history, viewing events as we see them to-day, who were wrong? This we know, that whoever abuse other people, whether the state or individuals, must some day be brought to account. Witness the French revolution, where the peasantry in three or four years got even with those who had caused them much suffering, and had treated them unjustly for centuries. That revolution was accompanied by such excesses that the mere reading of the details is horrible to our minds at this day. Labouring men have from all time been the object of more or less injustice, I will not say on the part of capital merely, but on the part of

the governing classes. They have emancipated themselves, and if they are going too far to-day we must remember that the law of compensation governs events. The longer the abuses have been endured in the past the further will the pendulum swing the other way. It is remarkable to-day that where the labouring associations have any large measure of power in their hands they do not go to excesses. Why? Because of the fact that they are educated. While the slaves in Rome, the Moujiks in Russia, and the French peasantry were not educated, they went the full length of revenge in order to bring about equalization, The workingmen of to-day are as a rule an educated class, and it is because they are enlightened that they do not go to great extremes in their demands. Do not forget, hon. gentlemen, that those associations, if they were to use all their powers for revenge for past injustices, they would give this or any other country that refused them their just rights, or even rights that may not be exactly just, something to remember to their detriment as happened in the past on the occasions I have mentioned.

It is in the interest of the state that the workingmen should be given education. It is in the interest of the state that the fundamental principle laid down at the French revolution, and at the American revolution, that every man has a right to the pursuit of happiness, should be conceded to the workingmen. What are they after? They are after the betterment of the situation. What are we after? We are holding the statu quo of our position because we have got to where they are trying to get. Let us put ourselves in the position of these men. They are as intelligent and as good patriots as we are. They are morally as good as we are. Their hearts beat as truly for their God and country as ours. They simply desire to bring their status more on a level with ours. Is there anything wrong with that? No, hon. gentlemen. Even if they were stretching their demands, we who are in the full enjoyment of prosperity should be the last to put any impediment in the way of their just demands. So long as they are reasonable, let us grant to them what they ask. They are not asking for a sweeping measure by any means. They are simply asking for the application of the eight-hour principle on government works of no urgency. This Bill does not demand that the whole state should be disturbed, but simply that the principle should be adopted, and where it can be applied it should be applied. There is no case where this Bill could come in more properly without disturbing conditions in the state than where it is sought to bring it in now. I am strongly in favour of the principle, hon. gentlemen, for other reasons. If to-day the labouring men are not allowed what is reasonable, then what is the use of all the advantages of civilization of which we boast so much? Why those inventions that have multiplied the capacity of production ten or twenty fold? The work of humanity should be proportioned to the wants of humanity. In years past, men had to work ten, twelve and fifteen hours with primitive implements in order to get products sufficient for the nourishment and maintenance of mankind; but to-day, with the instruments we have for lessening labour, that is not necessary, and I say that eight hours work is quite sufficient. We have instruments that will produce ten or twenty fold the work of a man's labour in a day, and the balance goes to abnormally increase the unnecessary wealth of certain individuals who would be a cause of disturbance in the state were they not compelled by the laws of the country to use their powers humanely. Otherwise these men who have grown abnormally fat, out of the extra work of labour, would have too much power. Labour is capital. There is no such thing as capital by itself. Labour is the thing, and it is sub-divided between labour and capital. Capital cannot produce anything; labour produces everything, and it is the over-production that has caused these men to become wealthy. Let us regulate production by the demand, and I say that the conditions that will result will be more healthy and more natural to humanity and the labouring classes at large. I move the adjournment of the debate until to-morrow.

The motion was agreed to.

BILLS INTRODUCED.

Bill (W-2) An Act respecting the Canadian National Fire Insurance Company.—Hon. Mr. Watson.

Bill (U-1) An Act for the relief of Gertrude Mary Grantham.—Hon. Mr. Young

FIRST AND SECOND READINGS.

Bill (D-2) An Act to provide for increasing the capital stock of the Richelieu and Ontario Navigation Company.—Hon Mr. Casgrain.

The Senate adjourned until three p.m. to-morrow.

THE SENATE.

THURSDAY, April 27, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

PAYMENTS TO CIVIL SERVICE SUPERANNUATION FUND.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. In what year has Mr. J. B. Caouette, an employee of the Post Office Department at Quebec, paid his first contribution to the Civil Service Superannuation Fund?
2. What was the amount of this first payment?
3. At what date did the amount of such contribution successively change, and what was the amount thereof after each change?
4. When was the last payment made, and what was the amount thereof?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. April 30, 1875.

2. 22 cents.

3. The amount contributed to the Civil Service Superannuation Fund is based on the amount of salary received, 1¼ per cent on salaries under $600 per annum and 2 per cent on salaries of $600 and over. Mr. Caouette received the usual annual increases, and in consequence the amount changed each year.

Year.	Amount.
1875	$ 1 04
1876	5 00
1877	5 50
1878	6 00
1879	6 50
1880	7 00
1881	7 00
1882	7 51
1883	12 00
1884	12 80
1885	13 60
1886	14 40
1887	15 20
1888	16 00
1889	16 00
1890	17 00
1891	18 50
1892	19 50
1893	20 50
1894	21 50
1895	22 50
1896	23 50
1897	28 47
1898	32 00
1899	32 00
1900	32 00
1901	32 00
1902	32 00
1903	32 00
1904	36 00
1905	36 00
1906	40 00
1907	40 00
1908	40 00
1909	52 00
1910	41 16

4. April 15, 1910, $2.16.

USE OF CARRIER-LAINE PROPERTY.

INQUIRY.

Hon. Mr. LANDRY inquired:

What grounds had the Public Works Department to declare that none but the Canadian Shoe Machinery could utilize the Carrier-Lainé and Company property, and that therefore it was perfectly useless to call for tenders?

Rt. Hon. Sir RICHARD CARTWRIGHT —No other application was received by the department, and as the Canadian Shoe Machinery Company offered to enter into lease and pay a fair rental, their offer was accepted.

TELEPHONIC COMMUNICATION WITH QUEBEC IMMIGRATION OFFICES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who are the employees of the Quebec immigration office whose residences have telephonic communication with the immigration office?

2. On whose recommendation, in each case, have these telephonic communications been established?
3. At what date were they established?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1. The agent, Dr. Lavoie, and Mr. Morisset, clerk.

2. On the recommendation of the superintendent of immigration.

3. In the case of the agent, at the date of his assuming office; in the case of Mr. Morisset, the authority of the department was given on the 17th of March, 1911.

INSTRUCTIONS TO NORTHWEST TERRITORY COMMISSIONER.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return of copies of the instructions issued by the Minister of the Interior to the Commissioner of the Northwest Territories.

The motion was agreed to.

McKENZIE AND WEBSTER CLAIMS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the government aware that an understanding has taken place between the Bank of Montreal and the McKenzie estate and Mr. Lorne C. Webster, respecting the claims the latter might have on lots 429 and 431, which have become the property of the government through the purchase of the Carrier-Lainé and Company property?
2. What is the nature of this understanding, and of the agreement which confirms it?
3. Who are the parties to such an agreement?
4. Has the government no liability whatever in respect of any payment which might be result of the McKenzie and Webster claims in connection with said lots 429 and 431?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have a memo. which possibly refers to that question and to one or two others, that the collector of dues has gone to Quebec to make a settlement. On his return the department will be able to answer the question. I would ask that this question stand, and also inquiries Nos. 8 and 9.

The inquiry was allowed to stand.

CONSTRUCTION OF DEEP WATER WHARF AT LEVIS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the works on the deep water wharf at Levis, for the construction of which the government has obtained large subsidies from parliament, been started?
2. What are, or what will be the length, width and height of the said wharf?
3. What is the approximate cost?
4. How have the sums obtained from parliament been expended up to date?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.

2. Length 903 feet; with 40 feet at base and 18 feet at top and 37 feet high.

3. Contract price, $283,064.50.

4.—

Test borings, soundings, &c... ..	$ 4,693 38
Advertising tenders, &c.	693 07
Inspection, watchman and sundries.	2,060 61
Progress estimates paid contractor.	48,780 00
	$56,227 06

BILL INTRODUCED.

Bill (X-2) An Act to amend the Water Carriage of Goods Act as regards the delivery of wood.—Hon. Mr. Domville.

THIRD READINGS.

Bill (N-2) An Act for the relief of Violet Jane Dakin.—Hon. Mr. Young.

Bill (O-2) An Act for the relief of Hugh Samuel Bell.—Hon. Mr. Young.

Bill (E-2) An Act to confer on the Commissioner of Patents certain powers for the relief of Pressed Concrete Steel Company of Canada, Limited.—Hon. Mr. Watson.

Bill (M-2) An Act to amend the Juvenile Delinquents Act, 1908.—Hon. Mr. Casgrain.

Bill (P-1) An Act to incorporate the Western Canal Company.—Hon. Mr. Campbell.

SECOND READINGS.

Bill (Q-2) An Act for the relief of Joseph Doust —Hon. Mr. Derbyshire.

Bill (R-2) An Act respecting certain Patents of Munderloh and Company, Limited. Hon. Mr. Domville.

GRAIN BILL.

IN COMMITTEE.

House resumed in Committee of the Whole on (Bill Q), 'An Act respecting Grain.' And on the consideration of the report of the special committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q), 'An Act respecting Grain.' And also on the consideration of the minority report, presented by certain members of the special committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q), 'An Act respecting Grain.'—Rt. Hon. Sir Richard Cartwright.

Hon. Mr. TALBOT—In conversations that I have had with a number of hon. members of this House, and with members of the special committee, and a large number of private individuals throughout the eastern part of this country, I find that there is not a very clear understanding on this grain question. They are well aware of the fact that the grain growers of western Canada have been complaining. Every member of the House of Commons who represents a constituency in these three provinces, and every member of the Senate coming from that part of the country, has been deluged with complaints by the grain growers of the west. In addition to that, over five hundred of the grain growers from Alberta, Saskatchewan and Manitoba, came to Ottawa last December in a body and presented their grievances to the government. I am not sure that every one thoroughly understands what these grievances are, and I ask the indulgence of the committee while I try to make the matter clear, as I see it. For that purpose I wish to divide the grain growers of the western provinces into two classes. The first class will include those farmers, or grain growers, who are obliged of necessity, to sell, or who do sell, their grain to the country elevators shortly after it is threshed. In these three western provinces there are a large number of what we call country elevators. These are located at the different railway stations throughout these provinces along the lines of railway. The number of railway stations at which elevators are located, is 846. The number of country elevators at these stations is 1885, giving something over an average of two elevators at each railway station.

The total capacity of all those elevators is 84,927,700 bushels. The farmers who sell their grain to those country elevators in the fall of the year, shortly after threshing, are, as a rule, not the most successful or the best-off farmers. They are very frequently inexperienced. They are newcomers to the west and have not adapted themselves to the prevailing conditions, and, consequently, they are not the most successful grain growers, and the grain sold by them to the country elevators does not contain as large a percentage of the highest grade that is grown. Now it is to the interest of the owners and operators of those country elevators to have as great a quantity of No. 1 wheat as possible, so it is to their interest to have the wheat that is purchased by them and put into their elevators as low a grade of No. 1 or of any other grade as they can possibly have, because in that case they will have a greater number of bushels of that kind. Mixing takes place there. It cannot be prevented. We do not want to stop or interfere with that. Twenty farmers may come in with their grain on one day, and most of them have the highest grade of grain, No. 1. No. 1 must be clean wheat, sound, weighing not less than 60 pounds to the bushel and containing at least 60 per cent of hard red fife wheat. We have vast quantities of wheat in that country which goes much higher than that, containing more than 60 per cent of hard red fife wheat and weighing more than 60 pounds to the bushel. But we have a lot that is less than that; therefore it is the interest of the owner of the country elevator to mix those if he has a large quantity of wheat that contains say 90 per cent of red fife and weighs perhaps 62 pounds to the bushel and is sound and clean. He may have a considerable quantity that has impure grain in it, that does not weigh as much, and is not as sound as the other grades. He mixes the two and has still grade No. 1. The farmers are complaining about that. They complain that they do not get a high enough grade; they complain about the weights, and about the

dockage for seeds in their grain. We cannot interfere with that. We have done all we can to encourage competition amongst the buyers, and if you have competition you will get proper grading and prices. If farmers allow seeds of weeds in their grain they deserve to be punished for it, and they are punished. When they complained about not getting proper weight, parliament passed laws providing for the frequent testing of scales and for the farmer being allowed to see his grain weighed. It is not that class of farmers whose complaints we are asking you to listen to at the present time, though they are indirectly affected.

The other class of farmers include men much above the average intelligence of this country, who are growing wheat on scientific principles, who have invested a great deal of capital and have made a success of it. They probably rank higher than any other similar body of men in this whole country. They are proud of the reputation that their grain has, and they are proud of the success that they are making of agriculture. Some of the most successful of these men have their elevators at the nearest railway stations and store their grain there. Others ship their grain in carload lots to commission agents at Winnipeg, Fort William or Port Arthur, and instruct their commission agents to sell and they are paid through the Bank. Others again do not wish to sell their grain at the present time, but think the price may be higher in a month, two months, ten days, or any future time, and they send it to the terminal elevators at Fort William or Port Arthur, and ask to have it stored there. Now we see what occurs. Hon. gentlemen will observe that those 1885 country elevators are filled with grain, we will suppose, for example, of the lowest possible grade or scale of No. 1. The wealthy and successful farmers ship their grain in carload lots to the terminal elevators, and take a pride in growing the highest possible class of grain. When the grain from the country elevators comes down, No. 1 will be mixed with No. 1. One is the high scale and the other is the low. They may even put in some No. 2, as has been done. I believe the evidence given before the special committee appointed a few weeks ago to look into the question show that mixing did take place. I think we will admit that. This mixed grain which is somewhat inferior to the grain the best farmers send to the elevators, is sent to the Liverpool market, it is tested there.

Hon. Mr. POWER—I do not remember that evidence having been given. Will the hon. gentleman state who gave that evidence?

Hon. Mr. TALBOT—I am glad my hon. friend has drawn my attention to that. It was the right hon. Minister of Trade and Commerce who made that statement when introducing the Bill. The grain growers had evidence that the mixing took place, and they brought Mr. Cassels, the chief inspector, before that committee. Unfortunately Mr. Cassels took sick, and the day on which he should have appeared before the committee he was taken to the hospital, and we could not wait to obtain his evidence. I am satisfied, however, that the government had his report, a private report probably, and heard his statement of the case before they introduced these two clauses which the grain growers of the west ask to have retained in the Bill. If the grain that goes to Liverpool is somewhat inferior to the vast amount of the grain that is grown by the western grain growers, and of which they are so proud, the result is that when that grain is tested by the millers of Liverpool the flour is somewhat inferior to what it should be, and the price is lower. That affects not only that particular grain, but affects the grain of every farmer that is grown in the west. If the grain that is sent to Liverpool is reduced in price in one sample, then the other grades are also reduced and in that way every farmer in western Canada is affected.

Hon. Mr. BEIQUE—I understand that the mixing that is prohibited at terminal elevators is limited to the mixing of say No. 1 grade with another grade, but the Act is intended to prevent the wheat which is shipped by carload lots to the terminal elevator from being put in the same bin with similar wheat.

Hon. Mr. TALBOT—I can only say that I think mixing has occurred; that No. 2 grain has been mixed with No. 1.

Hon. Mr. BEIQUE—That is not my question.

Hon. Mr. TALBOT—When this Bill was introduced, the right hon. leader of the House told us there were half a million bushels of one grade shipped out more than was brought in. That can only be accounted for by the mixing.

Hon. Mr. BEIQUE—That is not an answer to my question.

Hon. Mr. TALBOT—I am quite willing to admit that I am not as conversant with this grain question as are some other western members. In the part of the country that I come from, we do not sell much grain. We feed out grain. We are far from the markets and we go in more for stock raising and dairying than growing grain; but from my travelling through the country I have become familiar with the grain question and lately I have given it considerable study. I am putting it before this committee as I see it at the present time. I think we can safely say that the grain growers of western Canada have just cause for grave complaints. They are anxious that the grain, which they are working so energetically to keep up to a high standard, should go to the market of the world in as high a standard as it leaves their hands. We can safely say that mixing has been indulged in. If it has not been manipulated in any way it is a safe thing to fix it so that there is no danger of its being mixed. It would be to the advantage of the elevator owners to mix it, just as the elevator owners of country elevators find it to their advantage to get the lowest grade of No. 1 because they can make more out of it. It is to the advantage of the country elevator to mix it and they do mix it and the farmers cannot prevent it. We are not trying to prevent it; but when the same gentlemen acquire terminal elevators, and seek to get a second rap at the farmers, then I say it is time to call a halt. Now we want a remedy. Several remedies have been proposed. When the farmers came to Ottawa last December and stated their complaints to the government, they asked for government ownership and operation of terminal elevators. I am not speaking for anybody except myself, and say that personally I am opposed to government ownership of such things as terminal elevators or railways. That is government ownership and government operation. I think these utilities can be operated better by private enterprise, and I believe that if the public men of both parties in this country would state their exact feeling in regard to these things we would have less agitation for public ownership of some of these utilities. When the special committee met to hear evidence on this matter, I proposed in the committee that the railway companies should own and operate terminal elevators, under the supervision of the government. I am still firmly of that opinion. I believe it is the only way, or the easiest way in which this question can be solved. I consider it no great hardship to the railway companies to be compelled to furnish accommodation to the people who pay them for the transportation of their grain. If railway companies can build and operate hotels to accommodate passengers, why cannot they build and operate elevators for the grain that is shipped in their cars? They have stations and warehouses all over the country for freight that is sent to them for transportation. Why cannot they also build and operate terminal elevators for the storage of grain that is given into their charge for shipment?

The farmers are not asking them to do this for nothing. They are paying liberally for the storage of grain and are willing to continue doing so. In my humble opinion, that is the best solution of the question and it will be no great hardship to the railway companies. We have at the present time a total storage capacity at the terminal elevators at Fort William and Port Arthur of 25,000,000 bushels, of which the railway companies own 18,000,000. The Canadian Pacific railway is the only one, however, operating its own elevators, and let me say, to the credit of that company, there have been practically no complaints against them from the grain growers.

They are giving practically entire satisfaction to the grain growers. So, we see there would be only a capacity of about 7,000,000 for the railway companies to acquire. That would give them control of the whole thing, and there would be no more trouble on this question.

Hon. Mr. BEIQUE—If the Canadian Pacific railway gives entire satisfaction, how is it that all the grain is not shipped through its elevator?

Hon. Mr. TALBOT—I suppose it is because the owners of these country elevators control the rest of the terminal elevators, and have the grain shipped to their own terminal elevators.

Hon. Mr. BEIQUE—I am speaking of the grain of the high-class farmers.

Hon. Mr. TALBOT—I suppose in many cases it would not be convenient. Many live along the lines of the Grand Trunk railway and the Canadian Northern.

Hon. Mr. DAVIS—It is all in the hands of a combine.

Hon. Mr. TALBOT—The Canadian Northern Railway Company owns some of these elevators, but lease them. The same remark applies to the elevators owned by the Grand Trunk Pacific. The men who own the country elevators are those who have formed the companies and leased these terminal elevators for the sole purpose of making enormous profits out of manipulation of the wheat, and that is certainly done. The proposal made by the majority of the committee which considered this Bill would leave practically the whole question in the hands of a commission. I am free to admit that some people might be in favour of that. When the evidence was taken before the special committee, one of the owners of the terminal elevators said that it would be impossible for mixing of grain to take place unless there was collusion between the operator of the elevator and the government inspector. I think we are quite justified in saying that it is true that manipulation of grain could not take place unless there was collusion of that kind, and bear in mind that mixing has taken place when government officials were there—then there must have been collusion, and if these people are willing to bribe inspectors—and that may have been done—it was possible to do it—is it not possible that it may be done again? I am forced to the conclusion that the only possible way to overcome the difficulty is to deprive these people of the power of doing it. The minority report was for leaving these clauses exactly as they were in the Bill at first. I am quite willing to admit that they are pretty drastic, and perhaps unworkable, but it has been suggested that they should be slightly amended, and I offer the following motion: instead of clause 123, insert the following:

No person, owning, managing, operating, or otherwise interested in any terminal elevators shall buy or sell grain at any point in the western inspection division.

This section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator—

First, which has been leased to the commission for operation, or which has been leased to any person, firm or company for operation with the approval of the commission;

Second, which is used in connection with the operation of any flour mill situated at the same terminal point as such elevator; provided, however, that such elevator shall be subject to such restrictions and regulations as are from time to time imposed by the board, with the approval of the Governor in Council.

I am sorry that the feeling throughout this House is not more favourable to compelling railway companies to own and operate those terminal elevators under the superintendence or control of the government.

Hon. Mr. MACDONALD (B.C.)—What would become of the country elevators? Would they be abolished altogether?

Hon. Mr. CAMPBELL—I have not had an opportunity to look at the amendment which has been offered to the House; I have only heard it read. However, as one of those who strongly supported the majority report of the committee investigating this matter, I desire to say a word or two on the question. The whole complaint for years back has been that the grain, when it went to its terminal elevators at Port Arthur and Fort William, was mixed, and the quality deteriorated by mixing No. 2 with No. 1. The government have from

time to time, at the request of the millers of Ontario and the grain growers of the northwest devised more stringent regulations. They have particularly provided means by which the farmers of the Northwest can ship their grain direct. At one time a farmer could not ship his grain unless he passed it through an elevator and paid a charge for that service. The government have provided that platforms shall be erected so that any farmer who desires to ship his grain can do so without passing it through an elevator. He was also given the privilege of obtaining cars. The railways at one time would not give the farmers cars; they gave them all to the elevator men; but the government provided that the farmers must get their cars just the same as the elevator men and so, as the hon. member has stated, the weights were inspected, and provision was made for the careful weighing of grain, and in various ways provision was made to facilitate the direct shipment of grain from the Northwest, so that any farmer who had a car-load of grain could ship it himself direct through to the coast or to the terminal elevators at Port Arthur and Fort William. But, notwithstanding all these precautions, we have found, as time went on, that other amendments were required, that mixing was being done at the terminal elevators at Fort William. I do not believe that this has been carried on to any very great extent the last year or two. The firm with which I am connected handle about one million bushels of grain per year from the northwest, and during the past year I must say that we have had very little cause of complaint. Sometimes, of course, car-loads of wheat would arrive at our mill that we believed were not as good as we bought, but that can be accounted for in this way: you may have one hundred thousand bushels of No. 1 hard or No. 1 Northern, identically the same grade in every respect, put into a bin, and when it is taken out and put in a car here and a car there and a car somewherelse, you will find the grain from some cars will be very much poorer than the grain from the others. That is accounted for by the fact that the chaff and so forth goes to the side, and by and by comes down in a bunch, and although the grain is taken out of the same bin and was identically the same wheat when it was placed in the bin, when it comes from the cars some is much poorer than others. I account for this from the fact that sometimes during the last year we have got cars that were not up to the standard, but no arrangements you can make will prevent that. It cannot be avoided. As the grain goes in, the chaff goes to the side, and when you come to empty the bin it will necessarily follow that some portions of the grain will not be as good or as clean as others. The charge was made, but notwithstanding all the precautions taken, notwithstanding all the regulations that have been made and the facilities that were given for the handling and preservation of these different grades by themselves, manipulation was going on in Fort William and Port Arthur. I believe that fact was established last year, or a short time ago. To remedy that, the government now introduce another Bill, more stringent than ever before, and they make an entirely new departure. Their departure is that they place the whole control of the grain in the hands of three independent commissioners, who are under oath of office, who have no interest whatever in the grain, who cannot buy a bushel of wheat, have no stock in the elevator, entirely independent men, obliged to live at Fort William and Port Arthur, and are given the widest possible powers. There is no commission that could be appointed who could possess wider powers than these commissioners. A man cannot put his grain into the elevator until it is inspected by this commission or their officer. He cannot change it from one bin to another without their approval and their supervision. It cannot be shipped out unless they see it going out and inspect it. They have the widest possible powers to close up an elevator in 24 hours for any infraction of this law. The fines are very severe. Not only fines, but imprisonment follows also, and if the terminal elevator man attempts to mix or deteriorate the grain, the means of inspection are so easy and the penalty so great that a man would be the biggest fool on earth if he attempted anything of the kind. That

is the Bill before us to-day. But the Bill went a good deal further, clauses 123 and 124 providing that no person who owned a single share, or had any interest whatever in these terminal elevators, could buy a bushel of wheat in Canada or elsewhere. In no part of the world could he buy a bushel of wheat if he had any interest in a terminal elevator. This stock is sold all over Canada and the northwest, and is owned by millers and others, and if one owned a single share he could not buy a bushel of wheat. The majority of the committee thought that provision was rather too stringent. The object the government had in view was to take away all inducement that the elevator men would have for mixing grain. The majority of the committee thought that was not necessary, and I am free to say that I am heartily in favour of the report of the majority of the committee. I am deeply interested in this matter. When I buy No. 1 Northern, I want to get No. 1 Northern. If I thought there was any chance of my interests being affected by manipulation in these elevators, I would certainly vote for a change, but I believe the facilities provided by the government for handling and taking hold of these elevators are so ample and every point so well guarded, and the penalty so severe, and the means of detecting so easy, that I do not believe there is a possibility of mixing taking place in the future. If we cannot remedy that evil without going to the other extreme what does it mean? It means that these gentlemen who have invested millions of dollars in building terminal elevators in the Northwest, will be unfairly legislated against. Large amounts of foreign capital have been invested in these elevators, and we meet this foreign capital with open hands. A great many of these gentlemen are coming here and investing millions of dollars of capital in establishing elevators along the different railway lines. They buy grain in competition with other companies, affording a ready market for the farmers. They have also invested large sums of money in building terminal elevators at different points, and their country elevators are feeders for these terminal elevators. They are like the railways that have branches all over the country to feed the main lines. They are like the banks that have branches, all over the country to afford business for the head office. By building the terminal elevators, they have widened their field of operation and they have built elevators along all the lines of railway, and are extending them all the time. The Bill as it stands would force these men to sell out their terminal elevators, or to sell out their country elevators.

Hon. Mr. DOUGLAS—Who owns the elevators? I think the hon. gentleman is creating an impression that is not according to the facts. I do not think he means to do so. I want to know who owns the elevators at the head of the lakes?

Hon. Mr. CAMPBELL—The Canadian Pacific railway owns one.

Hon. Mr. DOUGLAS—Don't impress upon the House that these gentlemen who appeared before the committee were the owners of the elevators. I asked the question distinctly and got the reply that they were the property of the railway company.

Hon. Mr. CAMPBELL—Some of them.

Hon. Sir MACKENZIE BOWELL—Not all of them.

Hon. Mr. DOUGLAS—Four at least belong to the Canadian Northern railway, and these gentlemen do not own them, and they did not build them; they merely lease them. They were complaining of confiscation of the property, and I said at the time I never knew of confiscation being applied to a lease. My hon. friend, whom I respect very much, is making a general statement.

The CHAIRMAN—The hon. member for York has the floor.

Hon. Mr. DOUGLAS—I am asking a question.

The CHAIRMAN—The hon. gentleman can ask a question but he cannot make a speech.

Hon. Mr. CAMPBELL—The terminal elevators at Fort William are owned by the following companies:

SEASON 1910-11.

CANADIAN PACIFIC RAILWAY.

Stations.	Owner.	Capacity.	
			Bushels.
Fort William	Black & Muirhead	T.E.	125,000
	Consolidated Elevator Co., Ltd.	T.E.	1,750,000
	Canadian Pacific Railway.	T.E.	2,234,900
	Canadian Pacific Railway	T.E.	2,737,500
	Canadian Pacific Railway.	T.E.	2,458,000
	Empire Elevator Co	T.E.	1,750,000
	Ogilvie Flour Mills Co., Ltd.	T.E.	1,100,000
	Western Terminal Elevator Co., Ltd.	T.E.	900,000
	* Davidson & Smith	T.E.	80,000
Port Arthur	D. Horn & Co	T.E.	750,000
Stations—2.	Elevators—10.		13,885,400

CANADIAN NORTHERN RAILWAY.

Port Arthur	Port Arthur Elevator Co	T.E.	3,750,000
	Port Arthur Elevator Co	T.E.	3,250,000
	Thunder Bay Elevator Co	T.E.	1,500,000
	National Elevator Co	T.E.	65,000
Stations—1.	Elevators—4.		8,565,000

GRAND TRUNK PACIFIC RAILWAY.

Fort William	G.T.P. Elevator Co	T.E.	3,250,000
Stations—1.	Elevators—1.		3,250,000

RECAPITULATION.

Stations.	Elevators.	Total Capacity.	
			Bushels.
Fort William	10		16,385,400
Port Arthur	5		9,315,000
Grand total	15	T.E.	25,700,400

* Not licensed.

These are the people who own the elevators.

Hon. Mr. TALBOT—If the hon. gentleman from York figures it out, he will find that out of 25,000,000 bushel capacity at Port Arthur and Fort William the railway companies own 17,000,000 bushel capacity.

Hon. Mr. CAMPBELL

Hon. Mr. CAMPBELL—About one-third is owned by private individuals. I did not intend to lead the House to think that all the elevators in Port Arthur and Fort William were owned by private individuals, but I am pointing to the fact that under this Bill these men who do own a large

portion of the elevator capacity at Port Arthur and Fort William, own feeders all along the lines of railway, and that they have invested millions of dollars, and are bound to sell either their terminal elevators or their country elevators. If these clauses stand, they will have to do one or the other. You can readily see that the terminal elevators, owned by these companies are only made profitable by the fact that they own the feeders, and if they did not own the feeders the chances are very little grain would go through their elevators. Supposing they put these terminal elevators on the market to-morrow, and I bought one of them, I have not got any feeder for that elevator. The railway companies would send their grain to their own elevators, and my elevator would be sidetracked.

Hon. Mr. DAVIS—Will the hon. gentleman allow me to ask him, would not the combine send their grain to these same elevators if they had them?

Hon. Mr. CAMPBELL—What combine does the hon. gentleman refer to?

Hon. Mr. DAVIS—The combine that owns all the elevators in the west.

Hon. Mr. CAMPBELL—The biggest combine in the west is the grain growers.

Hon. Mr. DAVIS—There are a number of gentlemen who own interior elevators. What reason has the hon. gentleman for thinking that if they sold the terminal elevators, or were put out of them, they would not send their grain to those terminal elevators?

Hon. Mr. CAMPBELL—They would have no further interest in that terminal elevator.

Hon. Mr. DAVIS. Yes they would, they would want to get their pay for them.

Hon. Mr. CAMPBELL—The grain would go to the railways, and would be put in their elevators. I am entirely in sympathy with the object the government had in view of preventing grain from being mixed and deteriorated. I believe that can be done and will be done.

Hon. Mr. DAVIS—Why has it not been done in the past?

Hon. Mr. CAMPBELL—Because the law that we are now proposing to pass was not the law of the land. We are strengthening the weak links of the old law, and we are increasing the penalties to imprisonment for two or three years, and a heavy fine, and we will have three commissioners who will be right on the job and they will have large powers, and they will have every opportunity of detecting any infringement of the law. It is utterly impossible that any infraction of the law can take place under this Bill.

Hon. Mr. TALBOT—Has not the inspection at the terminal elevators been as good as possible during the last two or three years?

Hon. Mr. DAVIS—Have not we had laws to control these gentlemen all along?

The CHAIRMAN—I think the hon. gentleman had better finish his speech, and after he concludes his address I will allow any questions; but in the meantime I would like to have him finish his speech.

Hon. Mr. CAMPBELL—Heretofore the law permitted any man who was buying grain at a country elevator to mix that grain in any way he pleased. He can do it to-day under this Bill. He could do it before. If I have grain at a country elevator and pay my money to the farmer it is nobody's business what I do with the grain. I can throw it in the river if I please.

Hon. Mr. DAVIS—No. No. Would my hon. friend allow me to ask a question? His statement is nonsense.

Hon. Mr. CAMPBELL—If I ask the government to inspect the wheat and put a stamp on it, my control of it ceases and I have no right to mix it. Heretofore a farmer could send his grain from the northwest to me at Toronto without any inspection at all if he chose. If he had a high grade sample of grain he would naturally send it down to me, or if he had a low grade which he did not want inspected he

could send it where he pleased. Under this law, it is proposed that all grain shall be inspected when it arrives at Winnipeg; therefore the law, as laid down by the department, has been to my mind made so complete that the difficulty we have always had to contend against is entirely overcome and there is no danger of manipulating the grain after this, and with that view I do not believe that it is in the interests of the people of this country, nor is it wise legislation that we should say to the men who have invested millions of dollars in building up the country, going along the different railways and erecting elevators for the accommodation of the farmers, 'You must get rid of your property located at Fort William or Port Arthur no matter what the sacrifice is; you cannot have a terminal elevator there at all.' What will be the effect? It is just as cheap to ship grain from Winnipeg to Duluth as it is from Port Arthur or Fort William. The distance to Duluth is about 70 miles shorter. The rates are the same. These men own large terminal elevators at Duluth. What will be the effect if we pass this drastic legislation and say that they must sell out their elevators at Fort William and Port Arthur? Would not the natural consequence be that they would direct this grain to their own elevators at Duluth, giving employment to United States' ships and men? This is one effect of this Bill which we have to guard against if these drastic clauses are enacted. The men who are interested in the terminal elevators will divert thirty to fifty million bushels of grain, which now goes to swell the volume of trade at Port Arthur and Fort William, to their elevators at Duluth, where they can ship it to the markets of the world as cheaply as they can from Canadian ports. I do not believe that this drastic measure is at all necessary. As a miller, handling a large quantity of grain, I am satisfied that there is no danger under the existing law that grain will be manipulated, and it would be wise for parliament and the government to try this legislation for a year or two, as recommended by the committee, and if we find that, notwithstanding all the precautions we have taken, other legislation is necessary, then we can enact it, but, until that time comes, we should not imperil our trade in the great Northwest by the passing of this drastic legislation. There is no necessity for it. The difficulty we have complained of will be entirely removed under the provisions of this Bill without those drastic clauses. We ought to encourage capitalists in the United States to invest their money in Canada and help to develop our great Northwest. We want capitalists from all over the world to come there and build elevators and provide facilities for handling grain produced by our farmers. Believing that these drastic clauses are not at all required and that they will tend to imperil our trade in the Northwest and confiscate large investments, I hope the government will not allow them to be incorporated in the Bill, but will accept the recommendation of the majority of the committee.

Hon. Sir RICHARD SCOTT—Did it not appear before the committee that the state of Minnesota had passed a law naming commissioners, and that the proposal was to take over the terminal elevators at Duluth and Minneapolis?

Hon. Mr. CAMPBELL—That has been talked of.

Hon. Sir RICHARD SCOTT—A law was passed in 1909, but I do not know the scope of it.

Hon. Mr. DAVIS—I am quite well aware of the fact that my hon. friend has some knowledge of the grain business, and that he operates a large mill or possibly mills, but I want to draw the attention of the committee to the fact that whereas my hon. friend is inerested in only one or two mills, the millers of Ontario were represented at the committee which investigated this question by Mr. Watt, who was the secretary of the Millers Association, representing 300 milling institutions, and Mr. Watt differs entirely from my hon. friend, who owns one mill, or possibly two mills. Mr. Watt says, as you will see by referring to page 127 of the Grain Committee's report, that it is absolutely necessary to have this legislation in order to control these people, and there is no other means

of doing it. Then Mr. Flavelle, one of the biggest grain men in the Dominion, and an authority on the grain business, gave evidence to the same effect. They were supported by Mr. McKenzie, who represents the Manitoba farmers, Mr. Bower who represents the farmers of Alberta, and the representative of the farmers of Saskatchewan. They were all very strong on this point. My hon. friend has assumed that we can control this trade by appointing a commission. If you appoint a commission, and while they are in their offices there are nine or ten terminal elevators working, with 75 or 80 spouts in each, how is this commission to control them any more than they have been controlled in years gone by?

We had first class supervision as far as we could get it. We had Mr. Gibbs, a gentleman who would undoubtedly do his duty. We had Mr. Cassels and officials of that kind, but unfortunately there are forty, fifty, or one hundred men engaged under these officers. There would be probably twice as many under the commission. When these men made the statement that it was impossible to do any mixing without collusion between themselves and the operators, and we have the facts that mixing has been done, that is clear evidence that there has been collusion, and they have been bribing our officials. Can they not bribe them under a commission as well as they can under the present law? I say they can. I do not care what commission you appoint, as long as you have gain as the incentive, and leave the men in the elevators. The men are a little better than labourers, and are receiving small salaries, and one hundred dollars looks the size of a cart wheel to them. They would run around the block once for $100. That is the evidence given by Mr. Flavelle, and Mr. Watts who represent the millers, Mr. Hogg, who represents the grain section of the Toronto Board of Trade, gave similar testimony, and if we had the evidence of members of the Montreal Board of Trade it would be exactly in line with that. I was speaking to members of the Board of Trade in Montreal, and they are of the same opinion as Mr. Watts and other gentlemen. The hon. gentleman takes the ground that after the grain leaves the farmer's hands they have no more interest in it. Surely he is not sincere.

Hon. Mr. CAMPBELL—After it is inspected.

Hon. Mr. DAVIS—He said they had no interest in the grain after they sold it.

The CHAIRMAN—He said the man who put his money in the grain had a right to do as he liked with it.

Hon. Mr. DAVIS—Mr. Campbell takes the ground that after the farmers sell their grain they have no more interest in it. I ask Mr. Campbell how he would like to have me buy ten cars of his flour, open the sacks and mix in dirt and inferior flour and then put it on the market as his goods with his brand on the sacks? If Crosse & Blackwell send out ten thousand cases of jam with their seal on it, and a trade mark which is worth millions to them, according to my hon. friend's argument the purchaser could take the stuff out of the bottles and put inferior stuff in them and sell it as the genuine article, and Crosse & Blackwell would have no interest in it at all. The argument is nonsensical. The farmers have the greatest interest in keeping up the standard of the grain they put on the market. If they had not, they would not fight the case so strenuously. The gentlemen who are opposing this Bill are trying to deteriorate the quality of our grain, and why should we not endeavour to keep up the standard? My hon. friend says he is opposed to mixing, and at the same time he says that if these gentlemen are not allowed to keep their elevators they will take the grain to Duluth, and so on. I suppose he means they could take it over there and mix it. If he is not in favour of mixing, how will that work out? If they are allowed to mix in Duluth they will take it over there and mix it. If my hon. friend is not in favour of any mixing, his argument is of no effect. The Bill before us may require some amendment. There were two or three flaws in it. One was in reference to the millers who had elevators on the other side of the lake. The amendment proposed by my hon. friend from Lacombe (Hon. Mr. Talbot) would rectify that flaw, and I think if those amendments are adopted the Bill will be

workable. My hon. friend goes on to say that they control only 8,000,000 bushels at the present time, and is it not better to nip the monopoly in the bud, even if we have to lease those elevators. Something will have to be done, and we may as well do it today as to-morrow, because we can do it twice as easily now. If we leave it over for a year or two they will have 16,000,000 bushels. We should allow the Canadian Northern railway to take back their elevators and operate them. As common carriers, they are the parties to provide storage for any commodity. If the argument were carried to its logical conclusion, the railways would be forced to store the grain in the country elevators. What difference is there between grain and other merchandise? If you take your merchandise to a station, the railway is supposed to receive and ship it, and when it reaches its destination they are supposed to store it. There was no complaint as long as the Canadian Northern railway and the Canadian Pacific railway were handling the terminals until these gentlemen came from the other side of the line—gentlemen who have been dealing in this sort of thing in the United States. If my hon. friend takes a record of the grain trade in the United States he will find that they have paid a great deal of money into the courts. The hon. member speaks of the enormous fines. What condition would the country be in if we imposed enormous fines. Supposing that by this crooked traffic the elevator men are allowed to make one million dollars, and we impose on them a fine of fifty thousand dollars, what position are we in?

Hon. Mr. CAMPBELL—And imprisonment for two or three years.

Hon. Mr. DAVIS—We will come to that later. These gentlemen would be beneficiaries to the extent of $950,000 and the Dominion government to the extent of $50,000, and it would be all taken out of the consumer of the grain. I am certain the government would not desire to obtain $50,000 of that kind of money for permitting this sort of thing. My hon. friend speaks of punishment by imprisonment. Of course there may be imprisonment. There was imprisonment across the line, and I understand some gentlemen over there are doing a term now, and that may be the reason for a lot of these gentlemen doing business here. I do not know anything about that. The terminal elevator part of it, and the mixing of the grain is not the worst feature. The greatest objection is that they are gradually getting their clutches on the whole grain trade of the west. They can do that by giving higher prices for the grain than the men who are competing with them. Their competitors can only pay what they can realize for the grain, and a fair profit. These gentlemen from the States can go a grade higher and fix it up with the terminal elevator. The smaller man is frozen out. In the west, one firm had two or three elevators in the one town. Hon. members will find that the same thing exists in the United States. If these people wanted to do an honest business, why should the Peavey interest come into this country and organize three or four companies under different names when they control the whole thing! Why should they not say, 'We are the Peavey Company and are doing business all over the country.' Why are they organizing under the name of the North Wind Company and the Golden West Company and so on? They join with another man named Douglas and get him into a half partnership and organize another company, and they are getting their clutches on the whole grain trade of the west. If we do not do something to choke them off now—and these clauses will have that effect—inside of five years we will not be able to do it. By that time they will have their clutches on the grain trade of the west. My hon. friend alluded to the fact that in one State they appointed a commission to investigate this thing, and they found that the farmers of one State were losing eight and a half million a year in the manipulation of their grain at the lake ports, and they strongly advised the legislature to take action to secure terminal elevators. My hon. friend may say it is not in the interest of the farmer to keep up the standard of the grain; but I think it is not only in their interests to preserve the standard as it was put on the British market, but I

think it is the interest of every man, woman and child in the country to see that the reputation of our goods is maintained. When an article has the government stamp on it, it is the same as a dollar bill and it should go to the market when it has that stamp on it in the same condition that it leaves the farmers' hands or the transportation company. That is what we all desire, and the only question is how can we carry it out. My hon. friend says 'Appoint a commission.' I say a commission is no use, because we had government control before and these gentlemen got around that control. One of the leading men in Port Arthur said, 'They are a very ingenious lot of gentlemen; if you close one hole they will open another.'

They are like gophers, you cannot stop them; they have seventy spouts in the elevator and one man with a little cup is watching it go into the boat, and if they pull another rope the stream goes down another spout, and he is none the wiser. As long as these men are allowed to stay in the elevators, you may appoint all the government commissioners you like, but you will not control the trade. One gentleman, who represented the Peavey interest, said that all the interest they had at stake was $250,000. He said they leased the Canadian Northern railway elevators and were doing business, and they had put up a bond of $50,000 with the government. At times they had upwards of $5,000,000 worth of grain in their possession. These men who had only $250,000 of assets, had over $5,000,000 of other people's property in their possession. I asked the question, 'Supposing there was a fire, who would the insurance be paid to?' The answer was, 'It would go through our pockets first.' There might be some trouble about that. They say that they cannot make away with the grain. That is all tommy rot. I know, as a matter of fact, that a gentleman came to Port Arthur last year with a number of warehouse receipts for grain that was supposed to be in the elevators, and the grain was not there. That is something that can be proven. The grain had been loaned. One gentleman said he had been fined for lending grain. They lend other people's property. They speculate with it. If you had five car-loads of grain there and were holding it, they would charge you storage on it, and at the same time they might ship it to somebody else. That is where they make part of their profits. I claim that these clauses, with the amendment which my hon. friend from Lacombe (Hon. Mr. Talbot) has submitted, are absolutely necessary to the welfare of western Canada in particular, and to the whole Dominion. Now is the time to put it in force. The government can look after the vested rights. The government can lease the elevators, or do something with them, but let us put these men out of them.

Hon. Mr. POWER—If the government, by this Bill, render the investment of these people and these elevators valueless, is the hon. gentleman in favour of their being compensated by the government?

Hon. Mr. CLORAN—What about the farmers?

Hon. Mr. DAVIS—If these gentlemen who are doing business with the terminal elevators render the elevators of fifty or one hundred other men who are doing business throughout the country valueless, does he think they can go to the government and get compensation?

The CHAIRMAN—You can answer the question.

Hon. Mr. DAVIS—I do not think the government will be called upon at all; they can lease these elevators to-morrow. Supposing my hon. friend owned a terminal elevator at the head of the lakes, and owned three strings of interior elevators in the country, and supposing the government said that in the interests of the people of Canada they could not allow him to operate a terminal elevator any longer, does not my hon. friend think he could sell that elevator to somebody, if he could show by his books that it was making 20 per cent profit? He could say to his customer, 'I still own these interior elevators, and if you buy this terminal elevator I will route my grain through your terminal elevator, so long as you treat me decently.' If you sell a piece of property and take a

mortgage on it, you would like to see the man who purchased it earning some money so that he would be able to pay the principle and interest when due. I think this whole argument about vested rights is a big piece of bluff.

Hon. Mr. McHUGH—Did I understand the hon. gentleman to make a statement that the owners of these terminal elevators went out into the country and bought grain at a higher grade than it really was?

Hon. Mr. DAVIS—If my hon. friend has read the evidence he will find it there.

Hon. Mr. McHUGH—What is the answer to that?

Hon. Mr. DAVIS—That the evidence says so.

Hon. Mr. McHUGH—Does not the grade regulate the price?

Hon. Mr. DAVIS—Mr. Gage, who gave evidence before the committee, and several others, said that they lost fifteen to twenty four per cent of their grades. That means they lost one-fourth. My hon. friend knows that the spread is somewhere about three cents, so the amount of loss must have been enormous. I asked the question, how could a man doing business alongside of them compete under the circumstances.

Hon. Mr. McHUGH—If they bought the wheat at a higher grade, did not the farmers make the money?

Hon. Mr. DAVIS—Yes, temporarily; but it would not continue that way.

Hon. Mr. McHUGH—If the farmer gets a higher grade from these people, he ought to be thankful for competition of that kind.

Hon. Mr. DAVIS—It is done to destroy competition, and as soon as competitors are squeezed out—and it will not take very long to do that—the monopoly will have the field to itself.

Hon. Mr. BEIQUE—Complaints have been made that the grain has been mixed to the detriment of the grain growers. The fact has been proved, at least to my satisfaction. There is no doubt that mixing has taken place; to what extent the evidence is conflicting. But whether it has been done on a large or a small scale, we are all agreed that it should be stopped. Even if the complaints are not well founded, so long as there is a suspicion in the minds of the grain growers that they are not properly treated, that impression should be removed. That is the object of this Bill. It has been drawn up on the principle of creating a commission which should be entrusted with very wide powers, a commission of experts which would take the matter in hand and see that the grain growers are dealt with fairly and honestly by all who have anything to do with marketing grain. The government has gone to this further extent, that it may, if found necessary, expropriate the terminal elevators and run them as government property. Evidently the parties who drafted this Bill had in mind that the commission should first ascertain whether they could not work out the law in such a way as to remove all grounds of complaint and render the expropriation and management of the elevators by the government unnecessary. It seems to me that when a commission of experts is appointed, that commission should determine what rules and regulations may be necessary to attain the object in view, and it would not be wise on the part of this parliament, composed as it is of men like myself who are not experts, to attempt to lay down in detail the rules which shall govern the commission or which shall apply in the working out of the law. I do not think it would be wise. Parliament proceeded in a different way when the Railway Board was established. Parliament gave the Railway Board full power to enact all rules and regulations which they might deem necessary, and the commission has worked to the satisfaction of the community at large. For my part, I expect and have great confidence that a competent expert commission will easily find the means of attaining the object in view without having recourse either to confiscation or expropriation. If it should be found necessary that the government must purchase the terminal elevators in order to remove all grounds of complaint, I shall never consent to any legislation which would involve confiscation

of property, whether owned by Canadians or by citizens of the United States. Such legislation would be a blot upon our statute-book. It is all very well to say, as the hon. gentleman from Prince Albert has said time and again, and was stated by Mr. Watts before the committee, that when these gentlemen came into Canada and invested their money in elevators they knew that the laws could be changed. No doubt they did, but they had a right to expect that in changing the law, vested rights would be respected.

Hon. Mr. DAVIS—Have they a right to break the laws?

Hon. Mr. BEIQUE—No, but if one or five or ten owners of elevators have broken the law, that would be no justification for confiscating the property of fifty or a hundred innocent owners of elevators. My hon. friend will not find any Canadian parliament that would be disposed to legislate on such lines. I ask the hon. gentleman to put himself in the position of one who is largely interested in a terminal elevator; would he be pleased to see parliament, because his neighbour had been dishonest in dealing with the grain growers, pass a law which would punish him as well as the dishonest owner of the elevator?

Hon. Mr. DAVIS—I cite the instance of the liquor trade. Are there not many honest liquor dealers, yet they are often put out of business in the public interest.

Hon. Mr. BEIQUE—That is not a parallel case. In the liquor trade, licenses are granted from year to year, and the license holders know that they must take their chance that the licenses may not be renewed. They are subject to the decision of the majority of the ratepayers.

Hon. Mr. DAVIS—This Bill provides that the elevator owners must take out licenses too.

Hon. Mr. BEIQUE—I take it that the proper way to deal with the matter is to give the commission extensive powers in order that they may try the way that seems best to them to attain the object in view. If they find the law does not enable them to accomplish the end they have in view, more stringent regulations can be adopted. Instead of attempting now to provide that the commission shall do this or that, and frame rules and embody them in a Bill, it will be much better to leave the enforcing of the law to the commission. It has been argued that the terminal elevators should be owned by the railway companies. To that argument I have two answers; first, that we are not dealing with that question at all. The Bill is not drafted on those lines and we are confined to dealing with clauses 122, 123 and 242, which have nothing to do with that matter. It would have to be a different thing altogether. The matter would have to be submitted to the Railway Board by way of calling on them to make regulations to compel the railway companies to build elevators at their terminal points, to what extent I am unable to suggest at the present moment.

My second answer is this: that it would not be workable. There are to-day three great companies interested at terminal points, the Grand Trunk Pacific, the Canadian Pacific railway and the Canadian Northern railway. Five years hence there may be five or six more companies interested. How would the government or the commission which is to be appointed or the Railway Board apportion the elevators between the different railways? They would have to say that the Canadian Pacific railway shall build so many elevators, the Grand Trunk Pacific so many, and the Canadian Northern railway so many.

Hon. Mr. TALBOT—In proportion to the amount of grain they carry.

Hon. Mr. BEIQUE—That possibly might be the basis of a solution of the question, but, I repeat, the Bill is not drafted on those lines. We have another proposal before us, and we have enough to do to deal with that proposal. If that were done, it would imply the expropriation of the terminal elevators. It would imply the passing of a law which would compel the railway companies to purchase existing terminal elevators, whether owned by private companies or individuals. I am confident that the large majority of this honourable House would be opposed to the idea of confiscating anybody's property.

Hon. Mr. CLORAN—I have a most profound respect for the opinions of the last speaker, but having that respect does not mean that I should endorse them. In his able and very clear way of discussing the question, he put before this honourable House a proposition which I for one am not prepared to accept. I believe in the efficiency of commissions to administer, but I am not going to accept the principle that commissions should be the government. The Railway Commission or any other commission should only have the power to administer the law; they should not be given the right to make the law. Parliament only is entitled to make the law, and it is not within our right to delegate our legislative powers to any commission. We are here to express the will of the people, to formulate that will into law and then we can put that law into the hands of the commission to be administered. It is a false principle laid down by this parliament. I admit it is getting considerable support in this country, but it is a false principle, and I contend that the representatives of the people should formulate the will of the people and then commit it to a department or a commission to be administered. I cannot agree with my hon. friend when he says that the government and parliament will be relieved of all responsibility by putting the administration of this law in the hands of a commission. There are two hundred thousand farmers in the west asking for a certain thing, against the demands of three or four capitalists who are more or less interested in certain property called elevators. We have two hundred thousand farmers who represent a million of people, asking for a certain thing. Let us pass that, put it into law and then give it into the hands of a commission to administer. We should not transfer our rights and duties to a body of experts. We are here to listen to the appeal of from two to three hundred thousand farmers from the west who are asking for protection. Is that protection against the interest of the country or against their interests? There is absolutely no truth that it is against the interest of the country. All the truth is that it is in the interest of the farmers and their families. Why not give them what they ask? Why not say to the farmers of the west, 'You are asking for this law; you want to sell your grain under certain conditions; You are masters of the situation, and you shall dictate the conditions under which your product shall be sold.' A few men have some capital invested in elevators, and we are asked to counteract the will of the people in their interest. Are the farmers asked to legislate against the interest of the elevator only? They are not. The grain will still pass through these elevators. Parliament should listen to the voice of the west. The voice of the west is going to be dominant in this country, and we are not powerful enough in this Senate to go against it. If the voice of the west is strong enough, then I say grant their request and let the people know that they have a fearless, independent body in the Senate That is the position that I assume on this question and I am entirely in harmony with the hon. gentlemen from Saskatchewan and Lacombe (Mr. Davis and Mr. Talbot) and I think this legislation ought to be adopted. The grain Bill, as far as it goes, is good, and I do not see any reason why parliament should object to the amendment asked for on behalf of these 200,000 farmers, who have no objection to the elevators handling their grain, but they do not want it handled under false pretenses. Supposing I were a farmer in the west and had 2,000 bushels of grain, 1,000 No. 1 and 1,000 No. 2 or 3; I have a right to say how that shall be graded and sold, as the hon. gentleman said, to maintain not only my interest but that of the country. I certainly endorse the position taken by the hon. senator from Saskatchewan.

Hon. Sir RICHARD SCOTT—I should like to refer to a point which has not been adverted to in this discussion, and that is that Canada has attained a very high reputation for producing the best grain in the world. The further north you have sunlight, and can grow grain successfully, the more perfect it seems to be. There are elements in the Canadian grain that are now being discovered—a larger proportion of gluten and mineral salts than in grain produced in any other part of the world.

It is of the highest importance that the national reputation for the production of grain of that superior quality shall be maintained. It is one of the reasons that is now bringing to our land in the northwest not only American farmers, but farmers from different parts of Europe. It is not many years since the people in Edinburgh and Glasgow found that a bag of Canadian No. 1 Northern would make more loaves of bread than the grain grown in England from the best soil, and consequently there arose a very great desire on the part of millers and others to obtain Canadian grain. Therefore, in any legislation we are going to adopt we should take that as the primary condition. All other interests sink into insignificance if the character of our grain is to be disturbed. We have had before the Senate during the last ten years a variety of Acts bearing upon this subject, and after a great deal of discussion we have fixed certain standards. It is of the highest importance that these standards shall be preserved. Scientific farmers, as described by my hon. friend from Lacombe, are raising a very superior quality of wheat, and this quality of wheat is being year by year improved. If any hon. gentleman has the curiosity to go to the Experimental Farm in the neighbourhood of Ottawa, he will find that they are constantly crossing grades of wheat with a view of improving the grades that are grown now in the northwest. That is a sort of wealth that Canada ought not to sacrifice, and if a farmer at Edmonton wants to send a car load of wheat to Liverpool, the standard of that grain should be sacredly preserved, and there should be no mixing or mingling of it. We know that the great crime of this age is adulteration. Countries have been obliged to pass pure food laws. In the United States they are endeavouring to enact pure food laws, but they cannot do it. If you look in the morning papers you will read of frauds on the banks, frauds in stocks of various kinds, and other frauds. It is the curse of the day; all the fraudulent schemes of past ages pale into insignificance when compared with the frauds of our own age.

Hon. Mr. POWER—People have given up drinking and have taken to fraud.

Hon. Sir RICHARD SCOTT—No, unfortunately, they have not given up drinking. Our first consideration is that the man who wants to sell his grain in Liverpool, Edinburgh or Glasgow, or in any of the European countries, should have the right to send that identical grain there without its being tampered with, and there is no way it can be done except by the drastic proposal in this Bill. The evidence is unlimited. Hon. members know how weak human nature is, and how the tendency is to debauch men with money. My hon. friend spoke of confiscation. There is no confiscation intended in this case. The thousand elevators will remain where they are to-day. Only the terminal elevators will be interfered with, and the owners will get their value for them. There would be expropriation, even for full value, if it became necessary to expropriate, or they might continue to hold stock in the elevator though it would be controlled and operated by the government or the railway company. You cannot get away from the fact that fraud will be committed unless the government or some railway company has control. They have the railway at stake, and I see no difficulty in a railway company owning the elevator; but as to having a commission and the elevators at the same time being controlled by the present owners, it would be a perfect farce and we would have this trouble over and over again. The matter should be conducted in a business-like way, so that the grain shall not be tampered with. We have had discussions in this Chamber with regard to the inspection and grading of apples. Even our honest farmers of Canada will put culls in the middle of the barrel and good apples on top. We have had a number of Bills trying to overcome that, and, finally, it was found that the only way to accomplish anything for the European market was to have every barrel inspected at Montreal. If I purchase a barrel of apples I am not protected. I have to take my chances. But a barrel of apples intended for export is closely inspected, and the party who is guilty of false packing may be living up on Lake Huron, he is followed up and punished, because it is a serious blow to the reputation of Canada. Why should we

not have a similar enactment in regard to our grain; it is far more important? We have had the experience over and over again, for years and years, of the mixing and they have tried it in Minnesota——

Hon. Mr. POWER—If the hon. gentleman had been attending the meetings of the committee he would have found that it is not so.

Hon. Sir RICHARD SCOTT—I would ask the right hon. leader of the House if he has any evidence from the department that the terminal elevators were mixing the grain?

Rt. Hon. Sir RICHARD CARTWRIGHT—Some of them have been.

Hon. Mr. MITCHELL—Is it not a fact that an honest elevator company could handle those elevators just as well as a railway company?

Hon. Sir RICHARD SCOTT—The railway companies would not have the same inducement to commit fraud. The elevator campanies naturally bring a variety of grades together, and manipulate them in order to lower the higher grades and raise the lower grades. The most important point we have to consider is the national one, in which all Canada is concerned, of keeping up the reputation of our high grade wheat.

Hon. Mr. DERBYSHIRE, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again on Tuesday next.

EIGHT HOURS DAY BILL.

The order of the day being called:

Resuming the further adjourned debate on the motion for the second reading (Bill 3), 'An Act respecting the Hours of Labour on Public Works.'

Hon. Mr. POIRIER—Much scripture has been quoted during the discussion of this Bill, the hon. gentleman from De Lanaudière making the first quotation. Arguments can be found pro and con in scripture; therefore I attach no great weight to these quotations as bearing on the question. We all know that one of the Psalms of King David praises this proposition in favour of the eight hour work per day. The part of the scripture which has bearing on this question is the first condemnation that was passed on our forefather Adam, the penalty to work and the penalty to die. Ever since that time humanity has tried to alleviate the pains and pangs that attend on death. Ever since that time, men have tried to make that severe law of labour that we shall earn our bread by the sweat of our brow, lighter and lighter. It is only within the last centuries that the labouring classes have reached a position which is acceptable to them, and which goes to the credit of mankind at large. Remember that ignorance and excess of labour and of hardship have for ages gone hand in hand. The countries where slavery and bondage existed and where they now exist, have been and are the poorest in the world. It is not the longest hours given to work, it is not the severest drudgery, that brings the best results; it is intelligent work; it is the work of the free, intelligent and instructed labourer. Not only ignorance but intemperance goes hand in hand with excess of labour. This is not paradoxical. It is a fact. When a man finds that his whole life must be devoted to toil and drudgery, it lowers his ambition and he gets out of heart, and on his way home he is apt to take a drink and to get into bad habits. He is much more apt to do these things than a man who goes home not overworked, and with time to devote to his loving wife and children, and who finds comfort at home. That fact is well proven in history. The contrary has been asserted in this House, and in the other House. History will not bear the contrary assertion. I may quote evidence from many practical men to prove my assertion. In the committee of the House of Commons, Mr. Francq, of Montreal, in his testimony concerning the effect of overwork on temperance, answered the charge that if labourers were allowed more leisure hours they would devote them to drinking and debauchery. Here is what he said in his evidence before the House: 'In my own trade, the printing line; since we had the eight-hour day, men left the crowded

districts of Montreal and proceeded at once to their homes in the suburbs, and were not loafing any more on St. Lawrence Main street, but at four o'clock in the afternoon when they quit work they went home, and the moral standard of our men has gained fifty per cent'. This is the testimony given by one of our own men. Experienced men in the United States and England produce proofs to corroborate this, but I will simply give a few lines of what Lord Brassey says on the question: 'No class of men employ their leisure more wisely, especially when they have around them the means of improvement, and are encouraged in intellectual pursuits and moral cultivation, than the labouring classes'. There is another question which I will touch on briefly; it is the effect of the shortened hours upon production. I think it is admitted by all that there will be no decrease in quality. I go further and say boldly, that every one who has paid any attention to the question must admit that there will be an increase in quality. What about quantity? Committees have been held trying to get information on this point, and volumes have been printed from the testimony of practical men to show that even in quantity there is no appreciable loss, if any. Here is what Adam Smith says, he being an authority on this question: 'A reduction in the hours of labour does not necessarily involve a corresponding reduction in the amount of work performed. A little more diligence would easily enable a workman to get through as much work in nine hours as in ten'. At that time it was not a question of eight hours, it was nine and ten. Another authority on the same question says: 'The man who works so moderately as to be able to work constantly, not only preserves his health longest, but in the course of a year executes the greatest quantity of work'. I will not give any more quotations from authorities on this subject, but will conclude by saying, if I have to cite the scriptures again: 'Man liveth not by bread alone'. Labour is executed for the gaining of one's earthly livelihood; bread, shelter and clothing. Are we, who have, through a merciful Providence, a chance of having something more than bread, going to stamp our foot down and prevent our brethren of the working classes from securing what is necessary to their equipment as men and as citizens of a free country; being free themselves and Christians. Even if they were pagans it would not be fair to them, and it would not be fair to us, and would necessarily redound against us if, having the helm, and being able to see further than they, we do not steer the ship in such a manner that the whole crew will benefit by the voyage.

We are not alone in this world because we happen to hold power. The Czar is not alone in Russia, though he thinks he is. The emperors of Rome, although they thought the empire existed for them, were only individuals when weighed separately. It is our bounden duty to give what help we can, consistently with the rights of the community, to those classes who are to-day before us asking only what is reasonable—asking that which, if granted, will have no evil effect upon the country, will not diminish the production necessary for the community at large, but will have this effect, that the labourer who can go to work at eight o'clock in the morning and get home at five in the evening, will be able to have for his repast in addition to dry bread that which will nourish his soul also. He will be able to enlarge his intelligence, and devote some time to his home, his wife and children, do a little gardening, and raise from bondage into a sphere much more desirable and by rising materially rise likewise morally. There is no class of men to-day, or ever was, more independent and more useful than the farmer who is well to do, who has not to work over hours, or the mechanic or working man who, after devoting a reasonable time to work, can go home and read the newspaper, or a book. On Sunday he is not ground down by overwork, and he can spend the day reading instead of sleeping to recuperate himself for the drudgery of the coming week'. That is the class of men we should strive to make. All we have to do in this instance is to grant a request which, as I said before, is only reasonable. I might here go further. I might illustrate my argument by a reference to the Civil Service. Twenty years ago the staff of civil

servants was not half as numerous as it is now, while the work to be done was practically the same as it is to-day—at least there were the same departments with similar management. The time for work was from a quarter to ten until four—six hours altogether; to-day the civil servants are employed from nine until five—eight hours. I have paid some attention to the queston, and I claim that twenty years ago there was as much work done in six hours as there is to-day in nine, and the civil servants to-day, man for man, are as intelligent and capable as they were twenty years ago. The service is well satisfied with their salaries; the government treats them fairly well, generally; but here is what I find, especially in winter: The civil servant leaves his office at five, when it is dark. He has no time to attend to anything at home, and often he cannot afford to hire outside help for the purpose. The reasonable attention which he should give to his home duties is limited; he must attend from day to day to monotonous work, confined in impure atmosphere until he gets tired and dyspeptic. The civil servant requires exercise and open air. This he cannot get. What is the consequence? He goes back in the morning to his work, listless, sluggish, and unable to do his work cheerfully. The result is that after nine hours' work, the sum total of what is accomplished, is not as much as was done some twenty years ago in six hours. I am making no plea for the Civil Service; it comes up incidentally. Some hon. gentlemen claim to have worked 16 hours a day all their lives. I pity those men. We are not born to work 16 hours a day, and the man who, except for charity, works over 12 hours a day, and simply to amass wealth, becomes a moral wreck before he gets very old You find that is invariably the case. Show me a man who, for the sole purpose of gaining lucre, unnecessarily overworks himself, and you will find a man with a dried heart and soul. It would be a mistake if the Senate should reject the Bill which is now before us.

The Senate divided on the motion for the second reading of the Bill, which was agreed to on a standing vote: contents, 20; non-contents, 7.

Hon. Mr. POIRIER.

The Bill was then read the second time

Hon. Mr. CAMPBELL, moved that the Bill be referred to a special committee consisting of the hon. Messrs. Casgrain, Watson, Baird, Power, Thompson, Sir Mackenzie Bowell, Lougheed, Ellis and the mover.

Hon. Mr. McMULLEN, moved in amendment that the names of Hon. Messrs. Béique, Sir Geo. Ross and himself be added to the committee.

Hon. Sir RICHARD SCOTT—There is a parliamentary rule, that when a special committee is appointed to consider a Bill, the opponents of the measure are not eligible for appointment. If hon. gentlemen who are opposed to the principle of the Bill are appointed to the committee it will be a farce.

Hon. Mr. CHOQUETTE—I think it would be better to let the motion stand until tomorrow.

Hon. Mr. McMULLEN—If all who are opposed to the Bill are excluded, there is no use in appointing a committee.

Hon. Sir RICHARD SCOTT—I have stated what the parliamentary practice is.

The SPEAKER—I do not think we have any such rule in this House. I know it is the procedure in the House of Commons in England, but the practice is based on a rule of that House.

Hon. Sir RICHARD SCOTT—I point out to your Honour that that is the rule laid down in May.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think I may be pardoned for pointing out to my hon. friend that it has been a frequent and a reasonable practice for us that we should agree in cases where there is a difference of opinion and where it is desirable to get evidence, that we would not consider ourselves bound to approve of the principle of a Bill at the second reading—we would allow it to go to the second reading for the express purpose of referring it to a committee to get evidence, which I think is the object of this particular motion.

Hon. Sir MACKENZIE BOWELL—I quite agree with the opinion expressed by my hon. friend. It is laid down very clearly in Bourinot that those opposed to the principle of a Bill are not eligible to appointment when a committee is appointed to consider it. I remember distinctly quoting it myself a year or two ago when a committee was appointed to confer with the Commons in reference to a railway Bill. I objected to the appointment at that time of the hon. member from Portage-la-Prairie on the very ground that the hon. gentleman has called attention to; but if that objection is to be evoked on this occasion there certainly is no use of appointing a committee and putting them to the trouble of meeting and considering a question which the committee have already decided by their vote is correct. When the intimation was given by the hon. senator from York (Mr. Campbell) that he intended to send the Bill to a special committee, I expressed the opinion that such being the case I did not intend to insist upon a vote upon the second reading and would not have done so. Being opposed to the principle of the Bill I could not consistently vote for its second reading, and, under the circumstances, it was a matter of indifference to me whether I sat on that committee or not. I understood the right hon. leader of the House a little while ago, to say that it was desirable to obtain information on this question from any source from which it might be obtained, and it was also proposed to have a committee not composed altogether of members holding one sided opinions. Under the circumstances, it seems to me it would be much better for the hon. gentleman from Ottawa not to press his objection, and it would be much more consistent with the views expressed by the leader of the House.

Hon. Mr. YOUNG—Let me draw attention to the fact that the mover of the Bill clearly declared, when the motion for the second reading was made, that there would be no question of principle at stake at all; that the question on the second reading would be merely to advance it a stage, without any member being bound by the principle of the Bill. So that the argument that those who are opposed to the Bill cannot sit on the committee does not hold good. Consequently the committee who will have charge of this Bill, as I understand, are not charged with amending it. Their function will be to take evidence and report that evidence back to the House. At any rate, we have to take away from the question altogether the suggestion that a member who has voted against the principle of the Bill cannot sit on the committee, because in this case the principle of the Bill has not really been voted against.

Hon. Sir RICHARD SCOTT—I oppose the reference to the committee. It is idle to talk about taking evidence, with 750 pages of evidence already before us.

Hon. Mr. YOUNG—Who has read it?

Hon. Sir RICHARD SCOTT—It is the fault of the members if they have not read it. I read extracts from it the other day, and I think there were some substantial converts made by the evidence. We are, moreover, departing from our regular practice. Public Bills do not go to special committees, as a rule. Possibly one per cent may be referred to committees, to ascertain some fact which cannot be ascertained in any other way. We do not propose to have a committee extending over two or three years, as the Commons did. No one suggests that. We have all the evidence we need; therefore, it is for the whole House to form an opinion on the Bill.

Hon. Mr. CAMPBELL—The amendment moved by the hon. senator from Wellington would increase the committee to twelve. As I named the committee, it consisted of nine members. While I have no objection to the hon. members he has proposed, it would leave the committee with even numbers, which is not desired. I think nine would be better.

Hon. Mr. WILSON—I think there is no necessity for a discussion of this Bill. It is a public Bill, and all public Bills must be submitted to a committee of the whole House. We have had too many public Bills sent immediately from this House to some committee, either the railway com-

mittee or some special committee. I have raised my voice against Bills being disposed of in that way. The last time I did so, I was jumped on with both feet of the gallant knight who leads this House, and was made to sit down. The Bill went to the railway committee. I am not permitted to mention what took place in that committee as no report has been made. The blame rested on the leader and the ex-leader of this House because they sent the Bill to the committee without giving the proper notice that they would ask permission to send the Bill to the committee. I now raise my voice against this Bill being sent to any special committee without proper notice being given.

Rt. Hon. Sir RICHARD CARTWRIGHT —Notice was given when the Bill was introduced that this course would be followed.

Hon. Mr. WILSON—I would ask Mr. Speaker whether notice was given when the Bill was introduced that it would be sent to a special committee and if that is the way to manage business of that kind. Under the Rules of Parliament this Bill should go to a Committee of the Whole House and then, after that, if it is desired to send it to a special committee, that can be done. In the meantime I object to the Bill going to a special committee. You have no right to send the Bill to a special committee except by the unanimous vote of the House.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is no such rule; the hon. gentleman cannot quote any such rule.

Hon. Mr. WILSON—I do not wish to delay the Bill but I desire to have fair treatment and I want to have an opportunity to criticise the Bill when it is before a Committee of the Whole House. I do not wish to see the Bill sent to another committee where I may not have an opportunity of dealing with it.

Hon. Mr. LEGRIS—I move the adjournment of the debate until Tuesday of next week.

The SPEAKER—Everybody has the right to speak to a Bill who desires to do so, and we must either have an evening session or an adjournment.

The motion was agreed to.

BILL INTRODUCED.

Bill (No. 179) An Act respecting the Songhees Indian Reserve.—Rt. Hon. Sir Richard Cartwright.

The Senate adjourned until to-morrow at 2.30 p.m.

THE SENATE.

FRIDAY, April 28, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

THIRD READINGS.

Bill (V-2) An Act to provide for increasing the capital stock of the Richelieu and Ontario Navigation Company.—Hon. Mr. Casgrain.

Bill (T-2) An Act respecting the Sauvegarde Life Insurance Company.—Hon. Mr. Béique.

Bill (I-2) An Act to incorporate the Continental Fire Insurance Company.—Hon. Mr. Watson.

Bill (C-2) An Act respecting a patent of the Boiler Flue Cleaner and Supply Company.—Hon. Mr. Campbell.

APPOINTMENT OF CHAPLAIN TO THE CANADIAN NAVY.

INQUIRY.

Hon. Mr. LANDRY inquired:

Is the omission, on the part of the government, to appoint a chaplain to the fighting units of the Navy, intentional or involuntary?

Is it the intention of the government to complete the staff of its fighting units by the appointment of a chaplain?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1 and 2. Owing to the fact that the 'Niobe' and 'Rainbow' are attached to Halifax and Esquimalt, and are not absent from those ports for any length of time, it has not been considered necessary to appoint chaplains.

All facilities are afforded to ministers of various denominations to visit the ships, and the men attend the churches of their respective religious denominations on shore. Arrangements are being made for payment to ministers for religious ministrations to the ship's companies.

REPAIRS TO RIDEAU HALL.

INQUIRY.

Hon. Hr. LANDRY inquired:

Is it the intention of the government to execute, at Rideau Hall, the necessary alterations, repairs and additions, in view of the approaching occupation of this Gubernatorial residence by his Royal Highness the Duke of Connaught?

Rt. Hon. Sir RICHARD CARTWRIGHT —As is usual on the arrival of a new Governor General, the necessary repairs and improvements will be made at Rideau Hall.

CANADA NATIONAL FIRE INSURANCE COMPANY'S BILL.

MOTION.

Hon. Mr. WATSON moved:

That rules 23f, 24a, 63 and 119 be suspended in so far as they relate to the Bill intituled: 'An Act respecting the Canada National Fire Insurance Company.'

The motion was agreed to.

FRENCH VERSION OF CANADIAN ARCHIVES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has Mr. Jos. Sirois, of Quebec, notary, (who, at different times since July 1, 1906, has received, for revising purposes, three manuscripts of the French version of the third volume of the Canadian Archives, 1905), completed his work?
2. If he has not yet returned the revised manuscript, can the Department of Agriculture cause this officer to understand that he is about to share with his employers, the responsibility of furnishing the public, in 1911, and possibly in 1912, with a report dated 1905?
3. When does the government expect to provide the public with the French version of this third volume of the report of Canadian Archives, 1905?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes.
2. Answered by one.
3. Within one month from the present date.

McKENZIE AND WEBSTER CLAIMS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the government aware that an understanding has taken place between the Bank of Montreal and the McKenzie estate and Mr. Lorne C. Webster, respecting the claims the latter might have on lots 429 and 431, which have become the property of the government through the purchase of the Carrier-Lainé and Company property?
2. What is the nature of this understanding and of the agreement which confirms it?
3. Who are the parties to such an agreement.
4. Has the government no liability whatever in respect of any payment which might be result of the McKenzie and Webster claims in connection with said lots 429 and 431?

Rt. Hon. Sir RICHARD CARTWRIGHT —In answer to the hon. gentleman's question, the Department of Justice states that it has no knowledge of any such agreement or understanding as mentioned in this question.

DOUST DIVORCE CASE.

THIRD READING.

Hon. Mr. DERBYSHIRE moved the third reading of Bill (Q-2) An Act for the relief of Joseph Doust.

Hon. Mr. CLORAN—Before this Bill is read the third time, I feel it is incumbent on me to draw the attention of the House to what we are about to do. I would not be wrong if I said that the majority of the hon. members of this House have taken no cognizance of this report. If they had done so, I would not be called upon to give my views before this House and the country. If hon. members of this Senate had read this evidence and digested and weighed it as they should, they would have found that there is absolutely no ground for granting the petitioner a divorce. I make that statement deliberately. There is absolutely no ground; there is no evidence to justify the conclusions of this report. The report is in my hands and in

the hands of other hon. gentlemen. There is only one and one half pages of evidence, two witnesses. One, the petitioner himself, named Doust. The other witness is a man from the United States, under the name of Mayo. We do not know who Mayo is.

Hon. Mr. CAMPBELL—May I ask the hon. gentleman if this is the case where the wife deserted the husband and went to the United States and married another man?

Hon. Mr. DERBYSHIRE—That was the case.

Hon. Mr. CLORAN—If this was the case of a wife who deserted her husband and went to the United States, I would have nothing to say; but this case shows that she did not do so, and I will go over the evidence carefully because I object to go on record as sanctioning a divorce which could not be obtained in the wild state of Arizona.

Hon. Mr. McSWEENEY—What about Reno, Nevada?

Hon. Mr. CLORAN—Even there the evidence in this case would not justify a divorce. Fortunately this is not a dirty case. It is simply a man trying to get rid of his civil and religious contract in order to be in a position to marry another woman. The questions put to him are few. He speaks of being a citizen and a British subject. He was married for several years, and he had no complaints against his wife up to February, 1906. Then the wife, by the doctor's orders, owing to ill-health, went south. She went south on the doctor's orders and with her husband's consent and with her husband's money. She remained way until October, 1910. The husband does not allege that during the four years she was away she committed any crime that would justify parliament granting a divorce. He was asked, 'Did your wife leave you?' He answered 'Yes;' but when the second question was put he answered, 'On the order of the doctor and with my consent, and I had to pay.' The husband is unable to produce one iota of evidence against that woman. The committee did not even seek to extract it from him, and that is one of the reasons why I say that the Divorce Committee is an incompetent body with regard to these matters. There is no sifting of evidence; there is no cross-examination. They take for granted declarations of men who come before them for the purpose of getting a divorce, and that is the reason why I impeach the Divorce Committee, not individually, but as a tribunal. They are not able to sift and weigh, and get sufficient evidence to ask parliament to grant a divorce. We seem to pay no more attention to these cases than if it was a fight between a cat and a dog; this honourable House devotes its entire attention to material matters, such as railway companies and other corporations. But to this question which affects us so deeply, not only in this country but all human kind, we pay no attention whatever. The Bills are put on our order paper, are called and passed without criticism. Divorce is granted here for the asking. I am in a position to state that cases are framed and brought before this honourable House to have divorce granted, and that attempts have been made to sceure divorce through collusion. This honourable House heard a member of that committee charge the chairman with having that knowledge—with knowing that there was collusion between the husband and the wife in regard to a certain divorce case, and the chairman never denied the charge or gave any explanation. How long is such a practice going to continue? I never dared challenge the committee to that extent. We have had another venerable senator in this House—the hon. member from Halifax (Hon. Mr. Ross)—with whose opinion I agree, and he has expressed it several times—that this divorce committee is not a competent body. I never dared use the language he did when he said that it was 'a rotten committee.' I have in my hands complete proof of the incompetency of this committee. They put into our hands, as the hon. member from Stadacona (Hon. Mr. Landry)—has told me, certificates of marriage that are false, which do not belong to the persons in question, and we are asked to grant divorce on evidence of that kind. The certificates put in here do not apply to the same person. I have given the substance of the evidence of the husband against the wife; it amounts

to absolutely nothing, except the one bare fact that the wife, with his consent and by the order of the doctor, went south. She came back in October, 1910. Why did not the committee ask him then for explanations of that visit? Why did not the committee put that man through the grill and make him prove that his wife was unworthy of being associated with him any longer? The committee did nothing of the kind. She came to Toronto six months ago last October, and the committee never asked her anything with regard to her own conduct in the United States. What is the next evidence? The evidence of a man named Mayo, who comes before the committee and says, 'I live in the United States; I have a brother named George or John, and one Christmas my brother came home with a woman whom he introduced to the family as his wife. Asked if the woman whom his brother brought home at Christmas and introduced to his family as his wife was Mrs. Doust, the defendant in this case, he answered, 'If God Almighty has not made two alike I would say from that photograph that is the woman,' meaning the defendant. On that evidence alone the committee ask parliament to grant a divorce.

Hon. Mr. DOMVILLE—It is terrible.

Hon. Mr. CLORAN—It is not terrible, so far as two ordinary creatures are concerned; but as a matter of principle it is terrible, and we are claiming on the floor of this House a clean record for our marital relations in Canada—in eloquent terms, well grounded and well founded. In this case the only statement of fact that bears on the question was that the wife went south on the first of February, 1906, with the consent of her husband, on the doctor's order. We know absolutely nothing of what transpired during the four years and the husband complains of nothing; but he brings a man called Mayo from some part of the States to prove that, if God Almighty had not made two women alike, he would say that was the woman. There is absolutely no evidence in that. Photographs will lie, like figures, and parliament is seriously called upon in this case to sanction a principle of divorce that would not be recognized in any civilized country. I appeal to hon. gentlemen here to-day to veto such an action. They have an opportunity now, and no injustice can be done by parliament refusing this man a divorce under the circumstances. We have an opportunity to vindicate the principle of the sacredness of marriage without any injustice. I move that the Bill be now not read a third time, but that it be read a third time this day six months.

Hon. Mr. DOMVILLE—I second the motion.

Hon. Mr. LOUGHEED—In the absence of the Chairman of the Divorce Committee, I move that the debate be postponed till Tuesday next.

The motion was agreed to.

SECOND READINGS.

Bill (P-2) An Act for the relief of Fanny Mary Healy.—Hon. Mr. Talbot.

Bill (S-2) An Act respecting the Cariboo, Barkerville and Willow River Railway Company.—Hon. Mr. Riley.

Bill (U-2) An Act for the relief of Gertrude Mary Grantham.—Hon. Mr. Young.

Bill (W-2) An Act respecting the Canada National Fire Insurance Company.—Hon. Mr. Watson.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, May 2, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THE KING'S CORONATION CONTINGENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

Of the 53 officers selected and appointed by the government to form part of the coronation military contingent, how many French-

Canadian officers have been furnished by the rural infantry regiments of the province of Quebec?

Rt. Hon. Sir RICHARD CARTWRIGHT —Of the French Canadian officers selected for the Coronation Military Contingent none are being furnished by the rural infantry regiments of the province of Quebec.

THE KING'S CORONATION CONTINGENT.

INQUIRY.

Hon. Mr. LANDRY inquired:

The total of the non-commissioned officers mentioned in item (c) of paragraph 2 of the answer given last Tuesday to a question (see Debates of the Senate, page 591, second column), being 90, and the total of soldiers mentioned in item (d) of the same paragraph 2, being 520, where should the 5 non-commissioned officers and the 40 soldiers (who are wanting to make the total of paragraph 2, to agree with the total of paragraph 1) be mentioned?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is: The difference in totals of paragraphs 1 and 2 of the answer referred to is the strength (45) of the band of the Royal Canadian Regiment from Halifax, N. S.

DUTIES ON CANADIAN HORSES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. As a matter of fact, does the government exact from the Canadian labourers (who, having been employed with their horses in American shanties, return to this country), the payment of import duties on the animals which they bring back with them?
2. Does the government know whether the American customs authorities exact (without subsequent remittance, from Canadian labourers employed with their horses in American shanties), the payment of import duties on animals which they temporarily bring over with them?

Rt. Hon. Sir RICHARD CARTWRIGHT —Horses of Canadian origin, or duty paid in Canada, going into the United States temporarily are re-admitted into Canada without duty, provided they are returned within one year, and have been exported under customs' permit and identified.

The government is not aware of any remission of duty by United States customs on such horses entering the United States temporarily for lumbering purposes.

DOUST DIVORCE BILL.

REFERRED BACK TO COMMITTEE.

The order of the day being called:

Resuming the adjourned debate on the motion for the third reading (Bill Q 2) An Act for the relief of Joseph Doust.

Hon. Mr. LOUGHEED—I moved the adjournment of this debate last Friday, and since that time I have seen the solicitor for the petitioner, who is desirous that this matter should be referred back to the committee, with a view to strengthening the evidence which was given upon the point which was discussed while the matter was under our consideration last Friday. I therefore move, seconded by the hon. senator from Killarney (Hon. Mr. Young) that this report be referred back to the committee for further evidence.

Hon. Mr. CLORAN—I desire to say, with reference to this motion, that the attorney for the petitioner saw me in the corridor of this House within the last five minutes; and if the hon. leader of the opposition asks the Senate to refer this report back to the committee on the recommendation of the attorney in the case, we are getting down to very, very small business. If this motion were adopted, it would be the worst blow ever given to the committee—worse than anything I have said, or could have said, and worse than anything any members of the House have said against the committee. It is a direct charge that the committee did not report the evidence. If the hon. leader of the opposition desired to give the facts to the House, he would have said so. I tried to get rid of the counsel for the petitioner, and I refused to comply with his request. I said, 'God knows I have done and said enough against the Divorce Committee without challenging them, and charging them with reporting false evidence,' and that is the charge of the attorney for the petitioner—that the committee did not submit all the evidence. The question now before the House is, are we to grant this divorce on the evidence as submitted. I

believe that the committee reported all the evidence that was necessary, and I am not prepared to accept the accusation against the honour and duty of the committee, that they suppressed the evidence that was necessary to obtain the divorce. I cannot therefore vote for the motion of the hon. leader of the opposition. The case is before the Senate, and has been discussed amply. The evidence has been in the hands of hon. members four or five days, and they have read it, and the vast majority of them have come to the conclusion that there is no evidence upon which the Senate can conscientiously grant this divorce. On the demand of the attorney in the case, this House is asked to postpone its judgment without any proof whatever against the committee, simply his bare statement. If the House will permit me to say so, it is trifling too much with the dignity of this Chamber. When an attorney comes into the corridors of the Senate and tries to browbeat senators in matters of this kind, it is time to call a halt. Is the Senate prepared to endorse a line of action of that kind? Are we to postpone Bills because a paid attorney comes in and tells certain members that all the evidence is not in? I am prepared to accept the report that the Divorce Committee has put in: I criticise that report, and I find that there is not sufficient evidence to support the petition. All these facts have been before this honourable House for the past week, and if the Senate now condecsends to postpone its judgment on the demand of an attorney who travels the corridors of this House, who tries to influence and get the consent of members to do what he wants, then I say that the Senate will be lacking in its duty. The order of the day should be proceeded with. The motion made by the leader of the opposition is not based on grounds of public good, public morals, or the dignity of the Senate.

The motion was agreed to on a division.

THIRD READINGS.

Bill (P-2) An Act for the relief of Fanny Mary Healy.—Hon. Mr. Talbot.

Bill (Y-1) An Act to incorporate the Quebec and Great North Western Railway Company.—Hon. Mr. Belcourt.

THE GRAIN BILL.

IN COMMITTEE OF THE WHOLE.

The House resumes in committee of the whole consideration of (Bill Q) An Act respecting Grain. And on the consideration of the report of the Special Committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q) An Act respecting Grain. And also on the consideration of the minority report, presented by certain members of the Special Committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q) An Act respecting Grain.—Rt. Hon. Sir Richard Cartwright.

Rt. Hon. Sir RICHARD CARTWRIGHT—Before we proceed to the consideration of clause 123, I would say to my hon. friends that there were some few alterations suggested with respect to making provision for hospital elevators. As far as I know, they are not of a contentious character. If any of them are contentious, I shall give notice that I will have them put in on the third reading. If, however, the House agrees to put them in now, I will read them as they come, and then proceed to the consideration of clause 123. The first that I would call attention to is the interpretation clauses. I move to add these words 'Hospital elevator includes every elevator or warehouse, situated at a terminal point, which is used for the cleaning or other special treatment of rejected or damaged grain, and which is equipped with special machinery for that purpose.'

The amendment was agreed to.

If hon. gentlemen will now turn to section 20, I move to add to section 20 the following, 'May also, with the consent of the Governor in Council, make such further rules and regulations as the Board deem expedient for the government and control of terminal and other elevators, the leasing and bonding of same and all other matters in the best interest of grain producers and the Canadian grain trade.'

Hon. Mr. LOUGHEED—What is the object of that? I observe the language of the section is very broad as it is; giving power to the Board to make rules and regulations for any purpose within the Act.

Rt. Hon. Sir RICHARD CARTWRIGHT—This is a special reference to these hospital elevators.

Hon. Mr. POWER—The hon. gentleman from Calgary will see that clause 20 does not cover the ground covered by the amendment. Clause 20 provides that the Board may make rules and regulations either with or without the approval of the Governor in Council as hereinafter provided. There was no subsequent provision for the regulations of the kind mentioned in the amendment.

Rt. Hon. Sir RICHARD CARTWRIGHT—I understand this clause was before the general committee.

Hon. Mr. LOUGHEED—I am not opposed to it if the present section is insufficient.

The amendment was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the following be inserted as clause 123A:

There may be such number of hospital elevators as may be determined from time to time by the board.

1. Such elevators shall be situated only at terminal points and shall be governed by such rules, regulations and restrictions as are imposed by the board.

2. Any such elevator shall be required to take out a license and furnish a bond in such amount as the board shall determine.

3. Notwithstanding anything to the contrary contained in this Act, but subject nevertheless to the provisions of sub-section 5 of section 115, grain which is being shipped out from a hospital elevator shall at the request of the owner or possessor thereof, or of his authorized agent, be inspected and graded and the grade so arrived at shall be the grade thereof.

Hon. Mr. WATSON—It seems to me that would open the gate to a reinspection of grain out of hospital elevators that might have been graded in, as, for instance, smutty wheat requiring to be treated. At the present time that grain is not to be graded higher than No. 3 Northern. I do not think we should permit any possible chance of that class of grain being graded higher.

Hon. Mr. YOUNG—I agree with the remarks of my hon. friend. Section 115 of the Act says, (sub-section 5):

No grain that has been subject to scouring or treatment by the use of lime or sulphur shall be graded higher than No. 3.

Now we are to be very careful if we are to maintain the high standard of our grain that we have heard so much about. We should avoid any grading of grain out of hospital elevators and the mixing of it with higher grades. It would be well to consider whether, under any circumstances, grain that went through the ordeal of being treated in a hospital elevator should enter our higher grades at all. Heretofore we have not done so, and those who are holding up the high standard of our grain should find this clause worthy of careful examination.

Hon. Mr. THOMPSON—If the grain is to be inspected by the same class of inspectors who inspect other grain, I can see no objection to the proposed clause. If it is really No. 1 grain I can see no reason why it should not be so graded. It must be No. 1. If the inspector who has the knowledge and power to determine the grade puts his stamp on it as No. 1, it is No. 1.

Hon. Mr. LOUGHEED—Can my hon. friend from Killarney (Hon. Mr. Young) say why such grain should not receive the grade in which the inspector places it?

Hon. Mr. YOUNG—Heretofore this grain had not been allowed to go into anything higher than No. 3. I think it should go into No. 1, should the inspector think it is good enough for that grade.

Hon. Mr. LOUGHEED—If an arbitrary inferiority, so to speak, be placed upon it, would not that very greatly handicap hospital elevators? Would not owners of grain refuse to put their grain in if they knew that it could not come out at a higher grade than it was sent in?

Hon. Mr. YOUNG—There are minor afflictions and serious affiictions. Dirt is no affliction. There is a class of grain that would go to the elevators to which this amendment would properly apply, and it is the class rejected—domestic grain, for instance, or grain with excessive dirt. But the subsection I read makes a distinction of grain that has been scoured, treated for smut, or some other affliction, and had to undergo a chemical treatment. That grain has not been allowed into any higher class than No. 3. Unfortunately, our Act does not provide for the grain that is sent

to the hospital elevator to be separated, graded by the inspector as accepted, and as the Act stands will have to come out of there rejected. Supposing a carload of grain arrived half oats and half wheat, the wheat grade No. 1, and the oats No. 1, the inspector sending it into the hospital elevator as rejected, under the present law. If the law were carried out, it would come out of the hospital as rejected wheat and rejected, although the separation removed the cause for which the inspector sent it there with the stamp on as rejected and by proper authority. That class of wheat when separated should be graded according to its merit. The question whether or not the grain treated by scouring, or chemicals, should go into the higher grades is a matter to be determined. I was trying to explain the distinction between the two classes of grain that go to the hospital elevator under the grading as rejected.

Hon. Mr. THOMPSON—I have been following this grain legislation and trying to unravel the problem to understand it, and it seems to be a difficult one to digest; but I would think the inspector who grades this grain, if he were a competent inspector, after it has gone through the hospital, and was scoured or treated with chemicals, should be in a position to form the best judgment as to whether it should be graded 1, 2 or 3. If that is not the case, he is not the proper officer to originally grade the grain. Surely the farmers in the Northwest will be safe to leave the determination of grades in the hands of the inspector, whether the wheat goes through the hospital or not. Whether the grain carries a grade of No. 1, 2 or 3 at the hands of the inspector, must be absolutely a commercial proposition based on his grading. If it is not, I do not know where we will land.

Hon. Mr. DOUGLAS—I think I can throw a little light on this question. The explanation has not been given fully as yet. Going back to page 29, section 115, sub-division 5, to which the hon. gentleman from Killarney has called your attention, it has special reference to what has been called smutty or tagged wheat. They are both considered diseased wheat. It is injured wheat, and though they can remove the dark colour, they are not able to remove the peculiar odour which belongs to it, and, furthermore, it is capable of such improvement by this process of scouring with chemicals, as to make it appear, to all intents and purposes, equal to No. 1 or No. 1 hard; but it has not improved the real character of the grain.

Hon. Mr. THOMPSON—Let me ask a question. Would not that disability which existed, that diseased wheat, be known to the inspector, and would he not refuse to grade it No. 1 if it did not belong to No. 1?

Hon. Mr. DOUGLAS—Quite true. Last year we had a discussion in this House for nearly two days on this point, and it was then resolved that this wheat should be sold under a peculiar name to prevent anything like deception in the market. The millers in Ontario found fault with it because, on looking at it as mixed with the higher grade, it could not be detected, but it is detected when they come to make it into flour and when they bake it into bread. The value is not in it, and they refuse to put it into that class to which the hon. gentleman has alluded. That is the real reason.

Hon. Mr. LOUGHEED—This amendment would not affect this sub-section or this paragraph. Do I understand my hon. friend from Saskatchewan to say that it would?

Hon. Mr. DOUGLAS—Yes.

Hon. Mr. LOUGHEED—If there be a specific inferiority placed upon such grain by paragraph five, this amendment would not affect that. It makes an exception as to this particular class of grain so treated and it remains No. 3 or under.

Hon. Mr. WATSON — The amendment says 'notwithstanding.'

Hon. Mr. POWER—The amendment says 'notwithstanding anything in this Act.'

Hon. Mr. WATSON—I was going to suggest that if we take that amendment and make an exception of sub-section 5, section 115, that will make it all right.

Hon. Mr. LOUGHEED—Yes, that will make it all right.

Rt. Hon. Sir RICHARD CARTWRIGHT—How do you propose to put that in?

Hon. Mr. POWER—I was going to make a proposal of that kind. As I understand, grain that has been treated by sulphur is never quite equal to grain that has not been so treated; therefore the provisions of sub-section 5 of 115 should be preserved. I move, Mr. Chairman, that the amendment in your hands be amended by inserting in sub-clause 3 in the second line, after the word 'Act,' the words: 'But subject nevertheless to the provisions of sub-section 5 of 115.'

The amendment was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT—I understand the leader of the opposition wishes to make some general remarks on the Bill. If so, this would be a convenient time to do so, when we are considering clause 123.

Hon. Mr. YOUNG—The hon. leader of the opposition has very kindly offered me a few minutes to say a few words before he addresses the committee. This matter is of so great importance that we must give it our very best consideration. I want to say, to begin with, that I have no interest, directly or indirectly, in any terminal elevator, notwithstanding whispers some hon. gentlemen may have heard to the contrary. I have an interest with some of my brothers in a small way in some country elevators, but no interest whatever in a terminal elevator. I rather belong to the class which has been referred to as likely to be crushed out if clauses 123 and 242 are not left in the Bill, so I want to make myself clear, as it has been suggested that possibly I had a personal interest in the matter in some way, and therefore, anything I might say must be influenced by personal interest. The committee which took evidence in this matter, if they erred at all, erred in throwing the door open wider by far than the order of reference warranted. They took every volunteer witness, and furthermore reheard some of them and gave opportunities to the gentlemen to restate their case as often as they saw fit. When the time came to close the evidence there was not a single witness in sight to be heard, and it was only then that a motion was made to close the hearing and prepare the report. I want to say for the chairman of the committee that he also did his utmost to bring out all the evidence on both sides, and I challenge any member of the committee to contradict the statement I am making now, that he acted in a most fair and impartial manner. Some statements have been made with reference to this matter that may be unintentionally somewhat misleading. It has been said by an hon. gentleman that where there is smoke there must be some fire. We will look at the fire end of it as we go along. Statements have been made that gave the impression that a huge elevator combination exists in the west owning and controlling the terminals and the country elevators at the same time. The evidence does not bear that out. What does exist in the case of some terminals is that several line companies united to build and own or lease a terminal, to be used by these several companies in connection with the storage of their grain at terminal points. This is done in the same way that several railway lines may unite to establish a terminal station at some important point, for their mutual convenience; but that does not imply for a moment that they do not compete for freight and passengers. In the same way, these line companies who have built or leased terminal elevators use them in common, but compete for trade. I have had some little opportunity of seeing how it works out in the country end and that is what I have found. Another impression which would naturally be made is that all the terminal elevators at Fort William are doing business contrary to law, and therefore we should not hesitate to punish them. Now the fact is that out of some eight combinations or concerns at Fort William and Port Arthur, only some three were under a cloud in the slightest degree. The balance of the concerns operating and managing terminal elevators at Fort William and Port Arthur were never suspected or charged with violating the law in

any shape or manner, so far as I have been able to learn. Putting them all in the same category, you can readily see must be very annoying to those who have lived above suspicion, and it is only fair that we should give credit to those who have been obeying the law. Another erroneous impression is that every sin that can be charged against the grain trade is laid at the door of Fort William and Port Arthur. There has been supervision at Fort William and Port Arthur, but no supervision whatever over any link in the chain of transportation, between those points and the seaboard, either on the Canadian or on the United States side. It is equally unfair to charge every grievance against those elevators at Fort William and Port Arthur when the door has been wide open for accidents, if nothing less serious, in all those various elevators between the head of the lakes and the seaboard. It also developed in the evidence that the United States government do not bond grain by grade. They bond by quantity, and one can readily see that there is an opportunity there which might account for some of the mixing we hear of, and for the grades not being kept so distinct and separate as they are on the Canadian side. We must remember that when our grain goes through United States channels, over which we have no supervision, we have to take whatever mixture is made. We have very little to say about it. I agree with the Hon. Mr. Talbot, that had the railways continued to operate and manage their terminal elevators at Fort William and Port Arthur, we never would have heard a word of this trouble. The C. P. R. is the only one that is now in that position, and if the other railways had not leased their terminals at Fort William and Port Arthur there would have been none of this agitation. Our friends who are advocating the retention of those clauses have made a minority report, which will be found at page 824 of the minutes. In the beginning of the report they say:

> The manner in which the grain trade has been carried on in terminal elevators has not been in the interests of the public, and this is one of the particular grievances which this Bill is designed to remedy. It has been drafted after hearing the complaints and contentions of the aggrieved public, and is considered to be the minimum amount of legislation necessary to bring about the required reform.
>
> The only objection made before the committee to the above-mentioned sections was made by a small section of elevator men whose interests were opposed to the public good and whose methods of operating the elevators is largely responsible for the proposed legislation.

They also rely on the evidence given by Mr. Watts, Mr. Flovel and others, representing the milling trade. Now, if we turn to Mr. Watt's evidence we find that he urged upon the committee the retention of these clauses. He is the central buyer of the Millers' Association of Ontario. But after urging us to retain those clauses, when his attention is drawn to the fact that it is possible the Goderich elevator, owned by a section of the millers of Ontario, would come under the Act, Mr. Watts suddenly became alarmed. When asked if this elevator would not be affected, he says:

'I do not know. I never thought of it. I will look at the clauses. I may have been helping to pinch somebody.'

He seemed to admit there was a pinch. He is further examined:

> Q. You seem to admit there is a pinch?—A. I think there is a distinction there; it says 'terminal elevator,' and this is an eastern elevator.
>
> Q. Does the board not have power to determine what is a terminal elevator?—A. Sure.
>
> Q. You may be sailing in the same boat as the other gentlemen are?—A. That may be true; if the conditions that exist at that terminal are similar to the conditions at the terminal at Fort William, and if there is a similar interest to have it declared a terminal elevator, it might be.
>
> Q. Would you consider it a reasonable proposition to the stockholder?—A. Similar conditions do not exist.
>
> Q. Do you think it would be fair to these men, supposing we decided we would cut out that elevator?—A. The Goderich elevator has no country elevators feeding it.

His whole defence was that he did not think the Goderich Elevator would come under the operation of the clause; for he says on page 134:

> That may read that way, but I do not think that it is the intention. It may need amendment. But I would say that if you take subsection 2 in connection with subsection 1, the intent is very plain, and that is, it is not the intention to hamper in any way an elevator that is used in connection with the flour mills.

Mr. Watt's evidence, after all, was that it was a pinching clause if it caught the elevators owned and operated by the Ontario millers. It would look to me as if Mr. Watt's evidence were not very strong. Another feature is that although Mr. Watt was the central buyer for the Millers' Association of Ontario, I at least, did not hear one single case of his own experience in dealing with grain coming out of the terminal elevators that was unsatisfactory, and it was remarkable that a man who, buying and receiving grain and the agents of these millers for years should come here and take up the time of the committee without citing case after case of grain coming out of these terminal elevators that was not up to the quality he was entitled to receive by law. That looks to me as if his evidence could not be relied upon to any considerable extent. Mr. Flavelle, in his evidence, makes the statement, at page 65 of the report, that the consumers did not ask for this clause. He said that the clauses, were certainly not suggested by the consumers, and I do not think the producers suggested them. But he did say that the government, with the full knowledge of the situation, placed them in the Bill and therefore he urged them. The evidence of the millers is not very strong. The strongest evidence we could have that the grain was not coming out of the terminal elevators satisfactorily, and that mixing was practised would be the citing of case after case to the committee in which the terminal elevators were not using their customers fairly and the inspection department was not doing its duty. Against this evidence, we have the evidence of the representatives of another large milling concern. I refer to Mr. Black, who represents the Ogilvie Milling Company, and who stated to the committee that they had received from the terminal elevators last year some 29,000,000 bushels, 5,000,000 going through their own terminal elevator. The balance of the grain they received from the various terminal elevators. From whatever elevator the Clearing House Association sent the vessel which was to load out their grain, Mr. Black, representing the Ogilvie Milling Company, said that in no single instance in this whole immense quantity of grain had they any cause for complaint, or had they asked for a survey, or in any way were they dissatisfied with the result of their shipments from the various terminal elevators. No higher test can be put to the grain coming out of the terminal elevators than the tests which these big milling concerns give, converting it into flour and thus finding out exactly what it will do. It is no guesswork with them. I do not think any higher compliment could be paid to our system than the fact that a large concern like that should come forward and give such emphatic evidence, not from hearsay but from their own milling results. Out of the immense quantity of grain they have handled they have not found grounds for the slightest complaint so far as the terminal elevators were concerned. Mr. Horn also gives very clear evidence. Up to very recently, Mr. Horn was chief grain inspector of Canada, and he stands second to none as a grain inspector, we are proud to say in the world. So far as the European end is concerned, he has been complimented by the various boards of trade, and not only Mr. Horn, but our inspection department as a whole, have been paid very high compliments by the buying people of Europe who have stated that it is one of the most perfect they have had to deal with. A few years ago, a meeting of grain purchasers was held in England to discuss the many grievances that they have to deal with. They received grain from every part of the world and it was remarked that the only country not complained of was Canada, and the compliment that was paid to the Canadian Department of Trade and Commerce was very high and very gratifying. The only wish of one of the speakers was that other countries would adopt the Canadian system and be as accurate and satisfactory in the delivery of the grain as the Canadian trade, and that they would be satisfied if such were the case. That is a very high compliment to our system and I have no doubt it deserved it or it would not have received it. Besides this, and against the course of the minority of the committee, which would lead us to believe that the grain of the terminal elevators was very

badly mixed, we have had importers come forward and say that they have had no trouble, and that the grain as graded has been received by the people on the other side without hesitation. Every practical recommendation that has been made to Sir Richard Cartwright as Minister of Trade and Commerce, with the view of preserving the identity of Canadian grain and making it impossible for it to reach the markets of the world other than in a proper condition, has been adopted by the department. Even this year the right hon. gentleman has gone further and has taken as an additional precaution, that of registering warehouse receipts, which removes any incentive of terminal elevators to do any mixing, because when the season winds up they cannot ship out the stuff they have left over, should they have a balance left over of any of the higher grades, even though they might be short on some of the lower. Every precaution has been taken, and as a result the confidence that our grain receives on the other side of the Atlantic does not indicate in the slightest degree that there has been such a fire under this smoke as would warrant such legislation as this. The grain trade is one of the oldest commercial lines of activity in the world, and we find the sharpest and shrewdest men on the other side of the Atlantic buying our grain day in and day out, and we have comparatively no complaints. Mr. Horn testified that during the last two or three years only two or three serious complaints reached his office and they were promptly investigated, and he also stated that any complaints that were made were investigated by the Department of Trade and Commerce. The only complaints received were of two mistakes. One was at St. John, and the other at Montreal, and were caused by the shipping out of the wrong quality of grain. It was traced home to those two elevators. The Intercolonial railway paid the damages of the one at St. John, and the Harbour Commissioners paid the damages at Montreal. Neither of these elevators is owned or managed by private individuals. Mistakes will occur so long as you have to handle such an immense quantity of grain and with such haste as it has to be handled by firms. It is hardly fair or reasonable to charge these mistakes up to crookedness or any other thing than to mistakes such as happened in these two cases. We have the importer absolutely satisfied with our grain. We have the purchaser on this side of the lakes satisfied with the grain, and we have the evidence of Mr. Campbell, a member of this House, and a miller, who buys an immense quantity of grain every year, and he gives it the highest possible test, the milling test, and he is satisfied and has no cause of complaint. He has said so on the floor of the House and we had the representative of the Quaker Oats Company, who used a million bushels of grain a month, certify to the fact that they had no cause of complaint from the terminal elevators. With all this evidence, it must be admitted that there is a great deal of smoke and very little fire underneath. The lines are clean cut in the grain trade; our laws give a definition of the higher grades. The man on the other side knows exactly what he can expect on his purchase. We are not dealing with people who are 'going it blind.' We cannot imagine for one moment that if they had the slightest excuse, being frequently unwilling purchasers, they would not accept the grain offered them.

Hon. Mr. TALBOT—I would like the member for Killarney (Hon. Mr. Young) to state what he believes himself, have the farmers or have they not any just cause for complaint?

Hon. Mr. YOUNG—The question is a fair one. If the dealer pays his hard cash for wheat delivered on the other side of the Atlantic, or on this side of the lakes, and the miller is willing to pay for that grain without a grumble and without the slightest objection, I assume he is getting what he purchased according to our statutes.

Hon. Mr. TALBOT—He does not get what the farmer produces—at least not in the way the farmer produces it.

Hon. Mr. YOUNG—When a farmer ships a car of wheat from the west, and it goes into a bin of 50, 60 or 100 thousand bushels,

it is hard to understand how this one farmer can hope or expect or claim that the identity of that particular lot of grain should be preserved, and that it should be delivered as an individual parcel to somebody at the other end.

Hon. Mr. TALBOT—Nobody asks that.

Hon. Mr. YOUNG—We have to work on the law of averages of our bins, and if the averages of our bins are satisfactory to the purchaser—and at times the unwilling purchaser—and what I mean by that is a man who has bought grain at a high price and the market has in the meantime gone down, and he can buy it cheaper than when the grain is being delivered, we call him an unwilling purchaser. If such a man had the slightest excuse to refuse that grain, does anybody suppose for a moment he would not exercise that right. Therefore, if we satisfy that end of the business, it is hard for one to believe that there is very much wrong at the other end. I should like to ask my hon. friend how he can work that out.

Hon. Mr. TALBOT—People who examine the grain at the other end tell me it is nothing like the grain at this end, in the higher grades.

Hon. Mr. YOUNG—I have heard that story time and again, but that is not the evidence we have. I have heard of men going to the old country and seeing the dealers there, and being shown samples which they claim to be samples of grain that represented Manitoba No. 1, northern, if you will and bringing that back here, and they certainly were not No. 1 northern. I will relate a little incident I had in my own experience, not on the other side of the Atlantic, but here. I was at a certain mill some years ago, and they were unloading some Manitoba wheat. I, walking around it, took a look at the wheat, and I said to the man unloading it, 'Do you grow that wheat around here?' He said, 'No, that is Manitoba No. 1 hard.' In grade it really was No. 3. I went to the owner of the mill and I said to him, 'You are unloading some very fine wheat there,' and he said, 'Yes, it is No. 1,' and I said, 'Did you buy it for No. 1?' and he asked, Why?' I said, 'Because I know that wheat, and if you bought it for No. 1, you are a big chump.' He said, 'No, I did not buy it for No. 1, but for No. 3.' A gentleman stated to us in evidence the other day that they had received some forty samples from the other side of the Atlantic, and that these samples contained much dirt, far above what would be allowed under our statutes or should have been allowed by the inspector. It is true that when I asked the question if that wheat had gone by the Canadian route, the gentleman could not assure me that it had; it might have, but he did not know. Furthermore, in the taking of samples on the other side of the Atlantic, for instance at Liverpool, if a dispute arises over a cargo, as to the quality of grain, they have attached to their exchange an official sampler, and if a sample is to be taken at all, it is to be taken by the official sampler, and it is only upon a sample of that kind that any action is taken. As the hon. gentleman from Toronto pointed out the other day, samples can be taken in a cargo that will not represent the average quality of the cargo by any manner of means. Any of you who have watched a heap of grain sliding down know that a great deal of dirt would accumulate on the side of the wheat as it comes down, and if you take a sample there it would be worse than the average of the grain. The law provides that certain grades shall be clean, but that means commercially clean. We cannot handpick it. There will be more or less dirt because of the fact that the machines are not so perfect as to clean out everything that is foreign in the grain. After all, there is a serious phase in connection with this discussion that I should like to call attention to. If such a discussion as this has any effect at all it will be that we are defaming the character of the grain that we are sending to the other side of the Atlantic, and that is a serious matter. If any attention is paid to this discussion, it cannot be denied that we are saying to the men on the other side of the Atlantic, 'Notwithstanding the confidence and the satisfaction you have had in our grain in the past, we have been goldbricking you and you have not been getting what you bought and paid for, and what you were entitled

to under our laws.' That is the serious phase of this question which will revert back to those who are producers. I do not think this Senate would take the responsibility on their shoulders of saying that we in the Dominion of Canada, who have been delivering grain so satisfactorily for such a length of time, have been giving to the public on the other side of the Atlantic anything less than they were entitled to, and that our inspection system has not been closely watched and guarded. I know that our grain stands high and I think the proper course for us is to own up to the fact that with the preponderance of evidence before us we are justified in saying that we have the finest grain inspection and shipping system in the world, and with the additional precautions taken, I do not think there would be any more reason, in fact there would be less reason for any want of confidence in the future than there has been in the past. I think we should be very careful before we say that the grain we have been shipping out has been inferior in any way to what the purchaser was entitled to. It has been suggested also that this agitation will continue until such time as these supposed grievances are all done away with. I trust the agitation in this direction will cease, because it is too dangerous. In the interests of Canada, let us drop this matter, and accept the evidence which I am sure the Minister of Trade and Commerce himself, should he think it worth while to occupying the time of the House, could produce showing the satisfaction that the corn exchanges and even individuals have expressed in reference to it. I think hon. gentlemen will agree with the report of the majority of the committee. Hon. gentlemen will notice that the extreme penalty for any one who violates the law is left in, and we have left the working out of it to the board, and we have every confidence that there will be no serious cause of complaint when this year is wound up.

Hon. Mr. DOUGLAS—I am very sorry that the other member who supports the minority report is not present, owing to illness, because he was supposed to take charge of the matter this afternoon. I was very much pleased to hear from the hon. gentleman from Killarney (Hon. Mr. Young) the explanations which he gave in reference to his own attitude and relation to the whole grain trade. I am glad he acknowledges that he is identified with the grain trade, and I am quite in accord with the remarks of the hon. gentleman who has just resumed his seat with reference to the eulogy he pronounced on the chairman with regard to his ability to collect evidence and submit it to the committee. There was a disposition to allow every one who had evidence to give to submit it, and furthermore there was a disposition that they should have full opportunity to make the best case they could out of it. It will also be remembered that this was not sworn testimony, and, perhaps, therein a good deal of weakness may lie. If you want to know the iniquities of the grain trade that have been portrayed so softly within our hearing within the last ten minutes. I refer hon. gentlemen to the report of the late Judge Sinclair, which can be found in the House of Commons in good custody, and you will find the sworn testimony, and if this is the only complaint that is left for us now to debate, we have certainly gotten rid of a good deal of rubbish, iniquity and fraud. To tell us here to-day that everything was just so is taking for granted that we are very simple. The great delegation of farmers that came down from the west came here because they were not satisfied. They believed that the relationship between the buyers at the end of the lakes having it in their power to handle grain and the terminal elevators was of such importance that it required the absolute cutting off of the relationship with these terminal elevators, own them who may. They asked the government to own terminal elevators, and they called loudly for the government to manage them, saying the only hope of establishing confidence that would be of commercial value was the removal of these elevators wholly from the traders and manipulators of the grain. Why have we spent weeks on this subject? Why has the government introduced severe penalties, not a bit too severe considering all that

was going on? Why do they ask us to consider the complaints made if there is nothing in them but a little smoke and very little fire? I want to say to the hon. gentleman who has just spoken, that I know the facts of his relationship to the grain trade, and was quite willing to hear any suggestion from him then and now, but hon. gentlemen can understand that his relationship is one of personal interest, and I take the liberty of reading, in the hearing of this House, a list of the elevators owned by the Young Grain Company. There are twelve altogether at the following points: Cameron, Cartwright, Crystal City, Goodlands, Killarney, Waskada, Dunrae, Elgin, Enterprise, Lena, Minto and Wakopa, total twelve, all in Manitoba.

Hon. Mr. YOUNG—These are country elevators.

Hon. Mr. DOUGLAS—It would be more than human to expect any individual who has such a live interest as this to speak impartially on the elevator question. I congratulate the hon. member who is interested in the business, but every man leans to his own golden pot and will be warped by it.

Hon. Mr. YOUNG—I rise to a point of order. The motion before the House is the terminal elevators. I made a positive statement before the House that I had no interest directly or indirectly in a terminal elevator, and my hon. friend must accept my statement; first, because it is true, secondly, because the rules of the House compel him, and thirdly, he has no right to impute motives to me as he is doing now.

Hon. Mr. DOUGLAS—I have a perfect right to speak. If the rules of the House were enforced, while the hon. gentleman has a right to speak on the question, he certainly has not a right to vote on the question.

Hon. Mr. YOUNG—I have an absolute right to vote.

Hon. Mr. DOUGLAS—We differ on that point. It is for the House to say. An effort has been made to influence the House by giving the opinions of such men as the secretary of the Millers' Association. I have been identified with that gentleman for many years in connection with this grain business. In the early days, when we met in committee and when in the office of Sir Henry Joly, we took these questions under consideration, and year by year endeavoured to make such changes as would be helpful to the trade generally. I know Mr. Watt very well, and his views upon the whole question. It is very easy to try and explain the statement away, but the fact remains that he retained his opinion that the clauses under discussion this afternoon are of vast interest to the grain trade in the Dominion, and ought to be retained. Then the hon. gentleman overlooked the statement of the representative of the Grain Section of the Toronto Board of Trade when he gave vidence to the same effect. Mr. Flavelle was equally decided in his opinions that these clauses ought to be retained, and this connection cut clean between the line elevators in the country, or those engaged in the business, and those who are handling the grain in the terminal elevators. Then there was also the President of the Saskatchewan Grain Growers' Association, and Mr. Bower of the United Grain Growers of Alberta, representing the farming interest of Canada, all showing that it was absolutely necessary to retain these clauses in the interests of the farmers and of the country generally with the object of keeping our grain at the present high standard. I might go on and quote to any length, but it sums itself all up in this: Wrong had been committed; it has been acknowledged; it was not denied. Penalties had been paid, and the same gentlemen who paid the penalties were still ready to acknowledge that if they had not left in their hands the power of dealing with the lower grades of grain and mixing them up with the higher grades, there was nothing in the business to attract their special attention, and they contended, and still contend, that the processes that they had been accustomed to follow in reaching the results for which the penalty was enforced on them, should be allowed to stand.

Hon. Mr. POWER—Would the hon. gentleman mind telling me which of the witnesses made that statement?

Hon. Mr. DOUGLAS—My namesake, Mr. Douglas, made that statement to me. Furthermore, the lawyer, who was the principal speaker, did not hesitate to say the same thing. I met them all in the hall.

Hon. Mr. POWER—The evidence may have been given in the hall; it was not given in the committee.

Hon. Mr. DOUGLAS—The hon. gentleman cannot say that unless he can show that it was not. I am giving the impression made on my mind, that unless they have the lower grades to mix with the higher grades the terminal elevator companies cannot make money.

Hon. Mr. EDWARDS—That was never said.

Hon. Mr. DOUGLAS—I do not know that the hon. gentleman has a right to say that.

Hon. Mr. EDWARDS—I heard the entire evidence and no such statement was made.

Hon. Mr. LOUGHEED—There is certainly nothing of the kind in the evidence as published.

Hon. Mr. DOUGLAS—The hon. gentleman has not looked it all over.

Hon. Mr. LOUGHEED—I have not found it in the evidence.

Hon. Mr. DOUGLAS—They have made those statements more than once to me. I understand the position precisely. Grain is a cash article, and if they purchase the higher grades of grain there is no margin on which to speculate. That is just their language; I have heard the same thing from the lips of our own people in Montreal. It is when there are grades that can be bought at lower prices and mixed with the higher grades that they have an opportunity of making money. This is the very difficulty which gives a reason for an attempt to make a change in the management and oversight of the grain trade. It was not because it was all running smoothly that the government brought this Bill for our consideration. It was because there were serious difficulties and these difficulties had to receive serious attention, and much time has been spent upon them. I can see why an individual who is interested can talk smoothly and very quietly and nicely when he is travelling along the margin of his own personal benefit; so I am still of the opinion, that the existence of the evil complained of is apparent. It has always been and will be apparent, and I do not know that this Bill, with all its strong clauses in reference to the punishment of those who violate the law, will be an absolute and ultimate cure of the evil. It is in the right direction. We accept it as being in the right direction; but if you take away this restraint you will have a repetition of the same state of things for years to come; so the end of this question is not yet. My idea is to listen to the voice of those who know what they are doing. The farmers are not men who are living on a strip of land half a mile wide and a mile long. They are men of means, of cultivation and of equal scholarship and ability to that possessed by members of this House, and know what they are doing. You cannot treat those people like children. They will use other methods of correcting those evils if their demand is refused here, because there is an immense amount of money involved. Their interests demand constant attention until a proper remedy for the evil is found. The remedy is this: we are told that when a farmer sells his grain and gets his money that is all he has to do with it. That is not the case. The great delegation that assembled here, and the people of the west to-day are firmly of this opinion, that as long as this mixing of grain is allowed, so long as men can set aside the threatening attitude of the law and go on with their manipulating of the grain they make money; but they acknowledge also that they degrade the grain. They come up to the point of skimming grades to a line, to give the least possible amount of value for the greatest amount of money they can get. Where is the issue in this case? It does not fall upon the man who has sold the grain. If he has succeeded in getting the government to place its stamp on the grain that has

been graded down to a lower line of the grade, and pass that in under the government's certificate, he has gained his end and made his money; but the reputation of the grain so reduced is injured. No matter what may be said of the people who are so peaceable, quiet and gentle over in Liverpool and Manchester, and the millers and bakers of Great Britain, they are as sharp in business as our Canadian people, and perhaps a good deal more so. They apply their chemical tests and go through their processes, even to the baking of bread, analysing and weighing it, and coming to their conclusions, and when this wheat that we send thus degraded does not give the results they expect, they will pay less money for the same grade again. What business man would not make the same demand? What business man would go with his eyes open and repeat a mistake he had made two years before? The consequence of this mixing of grain is to lower its value in the market. The demand for the grain is interfered with to some extent and the loss sustained in this way does not fall upon the perpetrators of the fraud, it falls on the innocent people who toil in the fields and produce the extra quality. I want legislation that will leave the consequence of this mixing and degrading of the grain on the hands of those who have committed the wrong. Let them issue lower rates in payment, but see to it that the producer, who has given to the world an article that cannot be surpassed shall have the full value. Allow nobody, by manipulation, to reduce the value of the grain. This is my contention, and I think we will come to it. I am dreaming of this every day, and methods may be adopted in the near future, whereby we shall have, our American friends from Minneapolis, come here, pay for what they get and do business honestly, and we shall also keep our grain in our own channels. We must endeavour to have British people, who are the parties most interested in our products, come in contact with the producers and know our grain as the farmers and as the buyers in the interior elevators know it. Then they will be able to guard their people at home and they will see to it that they get quantity and quality, and that our grain is second to none in the world. Our grain has taken the first place at every exhibition. It is a product that is full of wealth and will give to the Canadian people a name that will prevail throughout the world and will be a credit to Canada. We want the full benefit of our grain production to accrue not to the manipulator, but to the men who have honestly and diligently toiled and laboured to produce an article that is so much sought after. I have no doubt at all but we will find a market in the United States. They cannot do without what we produce. In order to compete with the milling interest of our country they are forced to purchase a certain amount of our hard wheat to mix with their own soft grain to enable them to produce a grade of flour that will compete with the flour produced by our own milling companies in Canada. That is my ambition but I cannot say that it is such an easy problem to solve as has been dreamed of. Very few of us have seen to its depths as yet. It touches so many people at so many different points; it involves so much money and there is so much loss as well as gain in connection with it that it will require on the part of the governrment constant vigilance. They should see that they get, not only the statements of men who want to make money but also evidence of men who will verify them. I do not wish to continue this discussion longer. I could talk at some length on the various points alluded to.

Smoothing over difficulties that present themselves will never establish the business on a basis that will stand. We want to face the difficulties squarely and deal with them. We cannot wink at them and feel that by doing so we are stronger or better. I hope this Bill will go through, not because I have unbounded confidence in it, but because I believe it to be a step in the right direction. Human nature is human nature. The government, by adhering to these penalty clauses, are not introducing a new thing in legislation. We require to introduce penalties in almost every Bill that passes this House, and we do it with-

out much consideration, more than this; human nature must be deterred from evil. We must make it difficult for men to do wrong and so we legislate in different ways. There is a great deal to be said here about a penal clause because it threatens imprisonment to a man who does wrong. They put men in jail for dishonestly appropriating ten or twelve dollars. You will see such cases in our newspapers almost every week. Nothing is said about it; but if a man steals millions, it is a matter of great importance, his feelings must be thought of, his special interests must be considered. His wide influence for good has to be taken into consideration, so we minimize the wrong he commits and we are willing to condone the offence. Do not say that men who are caught in the act are worse than their fellow men. They are just as good as the most of us. There are not very many who will not fall before temptation. There are some men who will always take everything that is within their reach, and their conscience does not give them any great concern. I want to look at this legislation from a commercial standpoint, from a political standpoint. I want our people to know that the government of Canada have done and are doing the very best they can to promote the highest well being of that great country in the west. Every year it grows upon me. I met recently a professor of the University of Andover and he entered into conversation with me on a railway train. He had gone to our far west with considerable money, hoping to make a geological survey of the great Mackenzie Basin. He came home because he had not sufficient means in his pocket to accomplish it; neither had he the time required. He said to me, 'You, Canadians, have a veritable empire in the west, and the world knows little about it yet.' And I said, 'We are laying the foundations of our institutions; we are laying the foundations of our industries; we are laying the foundations of our educational and commercial success; we cannot be too careful as to how we do it, and that we do it well.' Let us not forget that we are only on the verge of our great inheritance and we are gaining day by day and year by year. Men with means and money, who are capable of great enterprises are becoming interested in the development of the country and we ought to listen to their desires and to their requests. If it is at all reasonable, let us reach out a helping hand to build up our own nationality and a reputation for every good thing which we can produce in our beloved Canada.

Hon. Mr. WATSON—This question has been discussed from a Manitoba standpoint in parliament for a great many years, and there is no doubt that the government has for a number of years attempted to pass rules and regulations for the safeguarding of our wheat and also to give the farmer the best possible chance to dispose of the products of his industry. I am not here as an advocate of the gentlemen from St. Paul who appeared before the committee, and who have been referred to as a lot of Americans coming over to exploit our country. I am here to say in all fairness, quoting from the evidence, that these gentlemen do not advocate the mixing of grain. These four gentlemen were examined in my presence, and they all said that they were opposed to the mixing of grain and would hold up both hands against the practice. Reference was made on several occasions to the fact that these gentlemen pleaded guilty to wrong-doing and paid a fine. I wish to quote from the evidence, and I think the House will be better enlightened if the evidence is referred to instead of making general statements. I find that Mr. Searle on being examined by Mr. Davis, a member of the committee was asked the following question:—

> Q. You mentioned here in the statement that you read that you would hold up both stands to stop mixing of grain. How would that work out with the statement made by the gentleman who preceded you who stated you were one of the people who were accused of it?—A. We were accused of mixing grain, but we maintain that we had not done any mixing of grain.

He was one of the gentlemen who represented several lines of elevators in the west and who had leased terminal elevators for the purpose of doing business. They have leased the Canadian Northern Elevator and they are also interested in the Grand Trunk Pacific elevator. They

produced evidence to show that while they were delivering their goods to these terminal elevators they were in competition with the other companies in buying grain. The next question asked by the Hon. Mr. Davis was:

Q. You maintain it is wrong to mix it?—A. We do not want to mix it in public elevators. We were charged with making incorrect reports.

It was not a charge of mixing grain, it was a charge of making an incorrect report that they were charged with, and for which they paid the fine.

Hon. Mr. DOUGLAS—Will the hon. gentlemen answer one question? How is it possible then to have a million or half a million bushels of No 1 Northern more than they bought if they did not mix the grain?

Hon. Mr. WATSON—Did they have it?

Hon. Mr. DOUGLAS—They are reported to have had it.

Hon. Mr. WATSON—The hon. gentleman got no evidence from any person that the elevators has a bushel more than they bought. The hon. gentleman knows that they pleaded guilty and paid a fine on an estimate made of the bins, and that when the official weigh-up was made there was not that shortage of grain. They paid the fine long before the weigh-up, on an estimate of the bins. The hon. gentleman ought to know that.

Hon. Mr. DOUGLAS—It has been brought forth since the discussion of this Bill.

Hon. Mr. WATSON—There is no evidence to show that it is true. Why didn't the hon. gentleman bring forth evidence to prove that statement was correct? The hon. gentleman has made statements today for what there is no foundation in the evidence.

Hon. Mr. TALBOT—I think the hon. gentleman from Portage la Prairie (Hon. Mr. Watson) is wrong there. He knows that on account of the illness of Mr. Cassels he could not give that evidence.

Hon. Mr. WATSON.

Hon. Mr. WATSON—My hon. friend may be a mind reader and may be able to know what Mr. Cassels would swear to. Mr. Cassells remained in the committee for days listening to the evidence and he could have been examined. Unfortunately he took ill and could not be called. There is no evidence to prove that these gentlemen were guilty of an offence. Mr. Searle gave his evidence and he could have been recalled and cross-examined at any time. He said:

We were charged with making incorrect reports. There was a difference in the report, of a moderate amount as compared with the amount handled, and we pleaded guilty to that because the reports were not in accordance exactly with the government figures. We did not know who was wrong, but we maintain that we did no mixing of grain in the Port Arthur elevator, and we asked the government to wait until the weigh-up at the end of the year, and when they had that weigh-up it only disclosed a very slight discrepancy which was almost entirely covered by the rejected seed grades which was allowed to be cleaned by the government and raised up to the regular grade. That is, you understand, when you clean this up you take out a certain amount, you have a shrinkage, you really have a loss in this which raises them up; when you clean that you have a big shortage that is allowable.

This is his statement and the statement was that there was discrepancy between the reports. That is his statement. It was that there was a discrepancy in the report. The government entered suit against the Thunder Bay elevator on the very same charges made against these people, and they fell down on the charges. It was claimed by these gentlemen that if they had not pleaded guilty and had gone to the trouble of having a weigh-up they would not have been convicted, and evidently they could not have been according to this gentleman's statement, because the clean up showed there was not that discrepancy in the grades as they received them. Of course no elevator can come out exactly right. Mr. Horn made that statement and I venture to say that no man who appeared before the committee was as competent to give evidence as Mr. Horn on the grain business. No man in Canada or in fact I believe in the world stands as high as Mr. Horn as an inspector of grain, and he has made those statements in his evidence, and it must have been convinc-

ing to any gentleman to hear that, as far as the handling of our grain is concerned, it was about as perfect as it could be made. I concur in what has been stated by the hon. gentleman from Lacombe and the hon. gentleman from Lindsay, and I have always maintained that elevators should be operated by railways and then all trouble would be avoided. I think it is unfair of the hon. gentleman from Saskatchewan to suggest that my hon. friend (Mr. Young) should not vote because he is interested in country elevators. The hon. gentleman from Prince Albert, who sides with the hon. gentleman from Saskatchewan, says he is one of the men liable to be closed out of the business on account of the combine of terminal elevators. I think no hon. member in the House is entitled to more credit from the grain producers from the west than the hon. gentleman from Killarney for the work he has done in connection with the handling of grain and the elevator question. He has the practical knowledge and has given the House the benefit of it, and his information is always reliable, which statement cannot be made regarding information furnished by some hon. members. I have no doubt that if the gentlemen who have leased those elevators violate the law, with these heavy penalties, where they are liable to lose their license, that the Grand Trunk Pacific and the Canadian Northern railway will soon cancel the leases unless they conduct themselves according to law, because the railway companies cannot afford to have their terminals closed. I believe there is danger there of not having a place to take care of the grain. We have, backing up that view, the grain growers who came down from the west: we have the millers of Ontario practically coming here and giving a certificate to the elevator owned and operated by the Canadian Pacific railway. I believe if those elevators were operated by the railway companies they would be operated in the interest of the producer and the grain dealer much better than they are handled by private individuals, because to my mind the profit made by railway companies in carrying wheat, ranging from 10 to 15 cents a bushel, depending on the locality in which the wheat is collected, would be such that they would offer the best possible inducements at the terminal for the handling of the wheat and the railways would make more money out of the freight than they possibly could out of manipulation of the grain at the terminal elevators. I am not in favour of saying that any man who has a dollar's worth of interest in the handling of grain should not be allowed to invest in a terminal elevator. I believe if the railway companies, who own about two-thirds of the elevators at Port Arthur and Fort William, operated those elevators, that you could have all the elevators you liked built and owned by the men who operated the terminal elevators, and you would have a sufficient amount of storage, some seventeen or eighteen million bushels, to perfectly safeguard the farmers, and people could ship any place they saw fit. I am not in favour of mixing, but the question was asked by the hon. gentleman from Lacombe, does the farmer get what his wheat is worth? Some get a little more and some a little less. That must necessarily be, because there is a great spread of between two and three cents a bushel between No. 1 and No. 2 grade. You have to get the average of the bin, and the man who has the wheat which will sample No. 2 Northern and very near No. 1, receives the No. 2 Northern price. The man who has wheat just above No. 3, and gets into No. 2 is paid No. 2 price. One man gets a cent more, and another a cent less than the wheat is worth, and that is bound to prevail in the system of handling grain. If we could have a system of buying wheat, a sample market, which I have no doubt we may have under this Act, they may be avoided, and the man who has a first class sample of No. 2, will get a premium for that as No. 2—no doubt about that. He will get what it is worth. No evidence has been produced to show any great wrongdoing in the handling of our grain. At that wide open investigation, where all the evidence that could be produced was submitted, hardly a case was cited where there was actual wrong, or the inspection was faulty. We had the testimony of the millers of Ontario that for the last year there had been practically no complaint.

We had the testimony of the inspector that only two cargoes in the last year had gone abroad where there was any doubt about it. The hon. gentleman from Killarney has explained those two cases. One was a case from Montreal and the other from St. John. No fault was found with the inspection at Port Arthur at all. That being the case, I think it is for us to say that our inspection is good. We are amending this Act and imposing heavy penalties to please the public who are asking for it. We are imposing the penalty of cancellation of the license of a terminal elevator if they do not comply with the regulations. With the prospect of having a first-class commission to look after this matter, and with the amendments giving the commission large powers, I am prepared to vote in favour of the report of the committee.

Hon. Mr. LOUGHEED—The parliament of Canada for many years past has been legislating in favour of the grain growers of the west. The legislation which some years ago was placed upon the statute-book regulating the grain trade has expanded probably more widely and more arbitrarily than that concerning almost any other subject, and this session we find it blossoming into the Grain Bill, which in itself, entirely apart from the two sections which are being attacked, is certainly of a most arbitrary character and calculated in every respect to protect the grain trade of our country. The tendency in all legislation of this character is that when legislation becomes very largely class legislation, the class to be benefited assumes, in course of time, that the interests of all others must be dominated to the particular view which they hold upon the situation, and class legislation of that character invariably becomes of the most tyrannical character. What is proposed under the Bill. I mean as to the particular sections we are now criticising? I desire to preface by saying that for many years the government has endeavoured to induce capital to be invested in the promotion of the interests of the grain trade. Capital has not only been invested within our own country, but has been imported from the country to the south of us for the purpose of developing the grain interests. I remember at one time when my hon. friend from Saskatchewan, who speaks in such laudatory terms to-day of the railways was in the very vanguard attacking the policy of the railways, with reference to the crushing methods which they were pursuing towards the farmer.

Hon. Mr. DOUGLAS—And there was very good ground for it.

Hon. Mr. LOUGHEED—I quite conceive that. Legislation was granted and the consequence was that the difficulties which then existed were very largely remedied by the enlistment of the capital which is now being attacked, that is to say, Canadian capital and United States capital enlisted in building up country and terminal elevators now find the capitalistic interest coming in conflict with those who are interested in the growing of grain. The parliament of Canada, as well as the legislatures of Canada, have incorporated those companies, and permitted them under the law of the land, and very properly so, to invest their money in the building up of terminal elevators, until to-day we find in Port Arthur and Fort William several million dollars invested not only by Canadian, but by United States people in the erection and operation of terminal elevators. Is there a man in Canada who would for a moment criticise the laudable character of that investment? I will venture to say that my hon. friend from Saskatchewan, some few years ago looked forward to the day when these terminal elevators would be established at Fort William and Port Arthur by capital of this character. An impression not based on facts, as I understand it, seems to have become deeply seated in the minds of the grain growers of Canada that abuses have grown up, and without a proper analysis of those alleged abuses, without a proper investigation as to what the foundation of the difficulty or wrong is, it is assumed that those capitalistic interests must be wiped out at one fell blow. The proposal is that those men who have invested millions of money and built up an immense industry at Port Arthur and Fort William, as well as in the interior of the Northwest, should have visited upon them all the fines and penalties embodied in this

Bill. I would ask my hon. friend to consider this, that these companies owning terminal and country elevators shall not be permitted any longer to carry on both branches of their business, that they can elect to carry on their terminal elevator business, and cease their country elevators, or vice versa, and no provision whatever is made in the Bill as to how those men shall be recouped for the enormous loss to which they will be subjected.

Hon. Mr. DOUGLAS—That is not so.

Hon. Sir RICHARD SCOTT—They expropriate them I presume.

Hon. Mr. LOUGHEED—No, there is no provision in the Bill as to those men being recouped or reimbursed in any sense whatever for their loss.

Hon. Mr. DOUGLAS—I would like to call the hon. gentleman's attention to the powers given to the commission to be appointed—that they have powers to cover just the matter the hon. gentleman complains of.

Hon. Mr. LOUGHEED—No. Will the hon. gentleman point it out in the Bill?

Hon. Mr. DOUGLAS—Powers are given them to cover the whole necessities of the trade.

Hon. Mr. LOUGHEED—I say positively no. There is no assurance whatever given. That would leave it entirely to the discretion of the board. If my hon. friend had a million dollars invested at Port Arthur, would he be content if, through the caprice or whim of some board, they should confiscate and wipe out his interest and land him high and dry in insolvency? In this class of legislation the imagination plays a great feature in the conclusions at which you arrive. Legislation must be based upon hard facts. My hon. friends from Saskatchewan and Lacombe are not here for the purpose of legislating for the farmers or grain growers of Canada. The hon. members of the Senate as well as the members from the Commons must hold the scale of justice and seek to do justice to all interests. Imagine the confusion that must necessarily arise in the administration of public affairs if a section could sit in the parliament of Canada and say, 'We represent one element of the community, and we are going to legislate for that element, no matter what the damage or loss may be to other interests involved.' A public duty falls upon the shoulders of every hon. gentleman here, and because he may have advanced ideas of what should be done in the interest with which he is identified, yet it is a prostitution of the public duty he may be called upon to perform to say that all the other interests involved must suffer because he happens to be sympathetically identified with that particular interest. I refer to Mr. Horn's statement before the committee, and I may say that Mr. Horn has been longer identified with the grain trade of the west than any other gentleman. He has been chief inspector, practically the head of the grain trade for nearly 25 or 30 years.

Hon. Sir RICHARD SCOTT—I should like to make a correction. I refer to clause 16 of the Bill, which reads as follows:

16. The Governor in Council may authorize the minister to construct, acquire, lease or expropriate for His Majesty any terminal elevator if parliament has granted the money for such purpose.

2. The Expropriation Act shall, in any case, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor.

Hon. Mr. LOUGHEED—My hon. friend fails to discriminate between the points. He wrings his hands because he thinks I am not appreciating his point. The point is: this Act comes into operation, and injures the property of people owning the elevators. That must be conceded. They have to shut down one or other branches of the business. The Act makes no provision whatever for the expropriation of the elevators. True, it grants the board a discretion which they may exercise or may not exercise; but suppose they say, 'We shall not exercise that discretion, we shall compel the seperation of the two interests, and it is no concern of ours whether the terminal elevator owned by these private parties pays or not, we shall not expropriate.'

Hon. Sir RICHARD SCOTT—It is the Governor in Council that is empowered to do this.

Hon. Mr. LOUGHEED—But on the recommendation of the board.

Hon. Sir RICHARD SCOTT—Not at all.

Hon. Mr. LOUGHEED—Is the Governor in Council going to expropriate these elevators?

Hon. Sir RICHARD SCOTT—Certainly, if they take them over.

Hon. Mr. LOUGHEED—My hon. friend must recollect that he does not hold the conscience of the government at the present moment.

Hon. Sir RICHARD SCOTT—Splitting hairs in that manner does not help the case.

Hon. Mr. LOUGHEED—There is no provision that immediately the separation takes place the government will expropriate, or recoup the owners for losses sustained.

Hon. Mr. POWER—It occurs to me that immediately upon the coming into force of this Act, with clauses 123 and 242, the value of the terminal elevators will be reduced very considerably, and if there were expropriation provided for, then, under the Expropriation Act, these terminal elevators would be valued as at the time of the expropriation, and not as they are at present.

Hon. Mr. LOUGHEED—I am just referring to Mr. Horn's evidence as to that fact. I refer to the evidence of Mr. Horn, page 181 of the evidence taken before the committee.

Q. Then, another thing, supposing these elvators were seperated and the owner of a terminal elevator at Fort William had no feeders, how would that affect some of those private elevators at Fort William?—A. It looks to me as if they would want to get out of it.

Q. The grain would go naturally to the railway elevators?—A. Yes.

Q. And unless it was routed to these private elevators?—A. They would not get any of the business.

Q. Their property would be practically valueless?—A. Yes.

Q. No man would buy an elevator without feeders?—A. No. Put it to yourself, you would not have any stock in it.

Q. Then would it be better for the farmers if this separation was made?—A. How could it help them? It would reduce competition in the country, it seems to me.

Again on page 189, as to the effect it would have on the value of those elevators:

By the Chairman:

Q. I should like to know what you think would be the practical result of the passing of these clauses 123 and 242, into law?—A. As business men, you can all understand that these terminals were all built in connection with lines of elevators in the country, which were expected to supply the traffic. Without the country elevators their source of revenue is gone. No one would care to ship any wheat to them. They do not get much outside wheat. Hardly any farmer would ship wheat into these elevators; he sends it to the Canadian Pacific railway elevators, as they are disinterested. I suppose ninety per cent of the wheat that goes into these elevators is from their own buying. If you disassociate the two you take away their source of revenue.

Then again on page 37, I refer to the evidence of Mr. Gage as to the depreciation of this property. I questioned him as follows:

Q. If these two sections went into force and you were compelled to separate your interests, the terminal from the country elevator, what effect would it have upon the financial status of your company?—A. It would be disastrous. I cannot say what the company would have to call upon its shareholders to make, to take care of the obligations, certainly we would never be able to carry on in future the business of a consolidated elevator company.

Q. Can you separate your expenditure upon the terminal elevator, and realize the expenditure by making a sale of the terminal elevator, in view of the drastic character of the legislation?—A. Not unless the government would take it, or the railroads. The Canadian Pacific railroad might, but I think they are not over-anxious to increase their capacity. It has not been too profitable.

Q. You do not think you could make a sale of it on the open market?—A. I am certain of it.

Rt. Hon. Sir RICHARD CARTWRIGHT—Is that witness referring to the sale of country elevators or of terminal elevators?

Hon. Mr. LOUGHEED—I have read the evidence touching terminal elevators, that immediately the separation between the two interests takes place you destroy the source of supply and the terminal elevator would cease to do any business in competition with the railway elevators because

the analogy would be this, that a wholesale man without sending travellers into the country to get business for him might find it extremely difficult to get orders. The same may be said to be analogous with several small railways owning a common terminal; the terminal to do business must rely on the railways coming in to do the business. If you divorce the two classes of business, you prevent the terminal elevator man from securing grain to establish a revenue for the maintenance and operation of the elevator and for a return on the investment which he has made.

Hon. Sir RICHARD SCOTT—Has he not the same chance that everybody else has?

Hon. Mr. LOUGHEED—No.

Hon. Sir RICHARD SCOTT—Oh yes, he has the same chance.

Hon. Mr. LOUGHEED—Let me also point out the very unsatisfactory class of investment it is, as an investment, by itself. In the investigation which took place before the Railway Commission with a view to the regulating rates of terminal elevators, the C.P.R. established beyond all question that the profits upon their terminal elevators at Fort William did not exceed five per cent upon the investment. Can any hon. gentleman conceive that private capital will make an expenditure in the building, maintenance and operation of elevators at Port Arthur on a basis of five per cent? And let me point this out, that even that return would not be forthcoming, for this reason—the elevator man, if he had not his country elevator to rely upon to fill his terminal elevator, must cease to do business, as these two witnesses have pointed out, and I say without fear of contradiction that there is no man whose judgment on this question would be equal to that of Mr. Horn. The railways would have the entire advantage. They would route all the grain to their own elevators. Would my hon. friend from Saskatchewan, or any other hon. gentleman, point out to me how the owner of a private elevator at Fort William or Port Arthur would secure the business to fill his elevator, that is in competition with the railways? The railways would route the grain to their own elevators. So small have the profits been upon the railway elevators, that the G.T.P. and the Canadian Northern people, who own the largest elevators in Canada at Port Arthur, considered it very much more profitable to lease their elevators than to operate them.

Hon. Mr. DERBYSHIRE, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

BILLS INTRODUCED.

Bill (45) An Act respecting the Montreal Park and Island Railway.—Hon. Mr. Casgrain.

Bill (104) An Act to amend the Post Office Act.—Rt. Hon. Sir Richard Cartwright.

Bill (132) An Act to correct certain clerical errors in the French version of the Inland Revenue Act.—Rt. Hon. Sir Richard Cartwright.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, May 3, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

THIRD READING.

Bill (W-2) An Act respecting the Canadian National Fire Insurance Company.—Hon. Mr. Watson.

FIRST AND SECOND READINGS.

Bill (Y-2) An Act respecting the St. Louis Light and Power Company.—Hon. Mr. David.

CHATHAM, WALLACEBURG AND LAKE ERIE RAILWAY COMPANY BILL.

FIRST AND SECOND READINGS.

Bill (Z-2) An Act respecting the Chatham, Wallaceburg and Lake Erie Railway Company, was introduced and read the first time.

Hon. Mr. DERBYSHIRE—I move that the rules be suspended in so far as they relate to this Bill, and that the Bill be read the second time presently.

Hon. Mr. LANDRY—The hon. gentleman should explain why he desires the rules suspended.

Hon. Mr. DERBYSHIRE—If we can get this Bill read the second time to-day we can refer it to the committee that will meet to-morrow and then before we make our adjournment for two months this Bill can be settled.

Hon. Sir MACKENZIE BOWELL—That is not what was asked.

Hon. Mr. DERBYSHIRE—The explanation of this Bill is that we want to build from Chatham to Blenheim twelve miles, and then from Chatham to Wallaceburg 23 miles. It is in the interest of the country, and the company have the money to do the work and would like very much to have the rules suspended so that the Bill can go before the Railway Committee to-morrow, when it can be thoroughly discussed.

Hon. Sir MACKENZIE BOWELL—That Bill relates exclusively to Ontario.

Hon. Mr. DERBYSHIRE—The road goes right through to Detroit, via Sarnia.

The motion was agreed to and the Bill was read the second time.

EXERCISES OF QUEBEC REGIMENTS.

INQUIRY.

Hon. Mr. LANDRY inquired:

How many regiments, in the province of Quebec, have followed, last year, the annual exercises either in camps, and in what camps or at headquarters and where?

How many regiments in the province of Quebec will follow this year the annual exercises either in camps and in what camps, or at headquarters and where?

What regiments, in the province of Quebec, are exempted this year from following the exercises in instruction camps?

What is, for each regiment so exempted, the reason of such exemption?

Rt. Hon. Sir RICHARD CARTWRIGHT The answers to the hon. gentleman's questions are as follow:

1. Thirty (30) regiments.

At Camps—Three Rivers camp, infantry regiments, 5; Lévis camp. infantry regiments, 7; Farnham camp, cavalry regiments, 6.

At Local Headquarters—Montreal, regiments 5, 1 cavalry and 4 infantry; Three Rivers, 1 regiment infantry; Sherbrooke, 2 regiments infantry; St. Hyacinthe, 1 regiment infantry; Lévis, 1 regiment artillery; Quebec, 2 regiments infantry. Total 30.

2. Twenty seven (27) regiments.

At Camps—Three Rivers camp, infantry regiments 3; Lévis camp, infantry regiments 5; Farnham, cavalry regiments 7.

At Local Headquarters—Montreal, infantry regiments 5; Three Rivers, infantry regiment 1; Sherbrooke, infantry regiments 2; St. Hyacinthe, infantry regiment 1; Lévis, artillery regiment 1; Quebec, infantry regiments 2. Total 27.

3. 4th, 17th, 55th, 64th and 83rd regiments, and also the 1st regiment which had been disbanded with a view to reorganization.

4. General inefficiency in all cases.

MILITIA REGULATIONS, FRENCH EDITION.

INQUIRY.

Hon. Mr. LANDRY inquired:

Have the French index and the amendments in force of the orders and regulations of the Canadian militia, 1910, French edition, been published and distributed to whom it may concern?

If they have not yet been distributed, will they be, before the date fixed for the holding of the camps in the province of Quebec?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is: The King's Regulations and Orders, 1910, French edition, containing index and table of contents, have been published and distributed. Amendments have also appeared in General Orders, in French.

THE FLAG OF THE CANADIAN NAVY.

INQUIRY.

Hon. Mr. LANDRY inquired:

Has the attention of the government been called to the fact that, on Monday, April 24 at the St. George's Society dinner, at Halifax,

two officers of our Military Marine, Admiral Kingsmill and Captain Macdonald, commanddant of the 'Niobe,' expressed the wish that the Canadian Navy will never know any other official flag than the white flag of the Imperial Navy?

Shall the government accede to the wishes of those two officers or shall it make them understand that the flag question, being a political one, military men and sailors are prohibited from discussing it in public and from giving advice to their superiors.

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is as follows:

The Canadian blue ensign is flown in the 'Niobe' and the 'Rainbow,' and the government is informed that these officers made no suggestion that this flag should be changed or removed.

QUEBEC BRIDGE SUBSIDIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. As the Minister of Railways declared, at the sitting of the 5th April, that it was only fair and reasonable to remit to the province of Quebec and to the city of Quebec the $250,000 contributed by the province and the $300,000 granted by the city for the establishment of public roads on the Quebec bridge, does the government intend while so remitting these amounts henceforth useless, since the new bridge will have no public roads as stipulated at the date of the granting of the above amounts, to also remit to the province and to the city, the amount of accrued interest paid by both on the loans effected for the payment of the contribution?

Did not the government, in substituting itself to the Bridge Company, already pay to all shareholders of the company (besides the integral repayment of the amounts contributed to the capital stock of the undertaking), a premium of 10 per cent on the capital so paid up, and, moreover, an annual interest at the rate of 5 per cent for each instalment, from the date of the payment of each instalment by each shareholder?

2. Is it the intention of the government to be equally fair and reasonable towards these great corporations by not refusing them what was granted to the shareholders of the Bridge Company?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. No.

2. The Quebec Bridge Company was settled with according to statute.

DELAYED RETURNS.

Hon. Mr. LOUGHEED—May I remind my right hon. friend that on the 12th of January last I moved for a return, as follows:

That an humble address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate, copies of all contracts, agreements, &c., which are in force or which may become effective within the next twelve months between the government and any electric company for the transportation of mail matter and government officials anl employees, including letter carriers.

I think sufficient time has elapsed to enable the government to supply the return.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is it from the Post Office Department?

Hon. Mr. LOUGHEED—Yes, I presume it would come from the Post Office. The motion appears on page 111 of our Minutes.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will call the attention of the post office authorities to it. I thought all the addresses which had been moved had been brought down.

Hon. Mr. LOUGHEED—It has evidently been overlooked.

LIEUTENANT GOVERNORSHIP OF QUEBEC.

Hon. Mr. LANDRY—I should like to inquire from the right hon. leader whether there is any truth in the report which appeared in the 'Free Press,' and different papers in Montreal and Quebec, as to the nomination of the new Lieutenant Governor in Quebec, and whether Mr. Langelier has been appointed to that position?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the newspapers might wait until the late Lieutenant Governor has been buried. It will be sufficient time then to announce his successor.

THIRD READING.

Bill (U-2) An Act for the relief of Gertrude Mary Grantham.—Hon. Mr. Young.

THE GRAIN BILL.

IN COMMITTEE OF THE WHOLE.

The House resumed in Committee of the Whole:

Consideration of (Bill Q), 'An Act respecting grain.' And on the consideration of the report of the special committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q), 'An Act respecting Grain.' And also on the consideration of the minority report, presented by certain members of the special committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q), 'An Act respecting Grain.'

(In the Committee.)

Hon. Sir RICHARD SCOTT—It has long been the complaint of the Senate that the government, in submitting their measures to parliament, overlook this Chamber, and on the first occasion this year one of the most important Bills of the Senate has been introduced by the Minister of Trade and Commerce, and the House has dealt with it in a rather summary fashion. The committee to whom it was referred made a report and practically killed the Bill. Section 123 was the gist of the measure. In the debate which has arisen on this subject, various points have been raised, and gentlemen who were not present in the committee have felt very serious embarrassment. Of the nine members of the committee, six were representatives from the provinces most affected by the Bill. Unfortunately for those of us who were not members of the committee, they were equally divided in their opinions, three of them favouring the repeal of clause 123 and the other three favouring the retention of the clause, thus saving the Bill.

Hon. Mr. LOUGHEED—The committee was composed of nine members.

Hon. Sir RICHARD SCOTT—Yes, but I am confining my remarks to the representatives of the provinces affected. Under the circumstances, it became a serious matter how we are to be guided in the course we shall take. Are we to adopt legislation favouring the speculator, or to adopt the views of the farmers, who are desirous of growing a high quality of grain, of using the best seed, of cultivating the land thoroughly and reaping a bumper harvest of the highest grade of wheat. We have to say whether the farmer ought to be protected in the transmission of his grain which he has raised so carefully, to the consumer or the purchaser. There are two interests. I would feel very little embarrassment if the representatives from those provinces were equally divided, in siding with the farmer. The middleman may have his rights, but he is in the business to make money out of it.

Hon. Mr. POWER—So is the farmer.

Hon. Sir RICHARD SCOTT—It is the farmer's legitimate occupation, and it is the most honest that a man can follow. It is claimed that there is no justification for the Bill, and I was corrected in an observation I made in support of the measure. I thought abundant evidence had been given that frauds had been committed—not one or two, but repeated frauds—that the Department of Trade and Commerce, who had charge of the investigation, had been satisfied that a remedy was demanded. They had taken cases to the court and the court upheld the view that frauds had been committed. In confirmation of that, I should like members of the committee to read the remarks of the right hon. leader of the government in this House when introducing the Bill. He said:

> Perhaps the best evidence which I can give for the necessity of interference is this: the department over which I preside was at great pains for some two or three years to inspect the grain to the best of their ability, and they obtained permission to have the grain weighed so that they could ascertain exactly whether the allegations which were made as to the admixture of the different qualities of the grain to the detriment of the general standard of the whole had any foundation in fact.
>
> Acting on these powers, actions were brought in the courts under which several companies were fined, though not I think half as much or a quarter as much as they deserved, for the admixture they had been giving, and it was clearly proved that false returns had been habitually made with a view of deceiving the government and public as to the matter complained of. Now, without giving names—they, of course, appear in the record of the courts—I may say in one case the shipment out of No. 1 Northern received by a particular company, exceeded the receipts in by 437,684 bushels. In another case, the shipments stated to have been made are less than those by a very large amount. In another case, No. 2 Northern, also a high quality, there appears to have been a shortage of 347,643 bushels. In another case, an excess amounting to 150,000 bushels, and so on through a variety of cases with which I will not at this present moment weary the House further than by saying that in sundry cases the total discrepancies seem to have gone ordinarily to half a million bushels.

Now, in view of these facts, can it be said that there was no necessity for this Bill and that everything was going on honestly and honourably?

Hon. Mr. MACDONALD—Where were the inspectors at that time, to allow that mixing to go on?

Hon. Sir RICHARD SCOTT—The government inspectors could not be there for twenty-four hours in a day. There was the opportunity of committing fraud and there were facilities for doing it. Not only grain but the mixing of foods of all kinds, is one of the sins of the age, and it is becoming so general that people believe there is no harm in it. The running of two varieties of grain into one spout, to form a new variety or a higher or lower quality is looked upon as legitimate business. The facilities for doing such things are so great that human nature is not equal to the strain; the temptation is too strong. It is just one of those cases where fraud is sure to be practised. We have passed laws for the purpose of protecting other branches of industry, yet they are violated every day. I need not go over the list of Acts that have been passed for the protection of other trades. They amount to nothing; they are not put in force; this parliament looks to the provincial government to put in force laws of that kind and the provincial authority does not do it. Influences of one kind and another are brought to bear. The public are humbugged day after day by foods that are not up to the standard. Not only wheat, but almost every article of food. I do not propose to go into details, although I have a long list before me. Take for instance maple syrup. Probably during the early part of the season it is pure; but two or three months from now, after the supply has been exhausted, you will find the pure article is being advertised, a large amount of which is being adulterated, and so it is with nearly every other article of food. A month or two ago 200 carcasses of diseased meat were seized in Montreal, and a few weeks ago an equal quantity of diseased meat was seized on its way to the Ottawa market. Large quantities are palmed off on the public, and it is one of the causes of illness; for instance typhoid and small-pox arise from diseased food as well as from other causes. That is aside from the question before the House, but I merely mention the fact that the tendency of the age is to deceive and to defraud.

Hon. Mr. MACDONALD—That is too true.

Hon. Sir RICHARD SCOTT—The Postmaster of the United States made a statement recently in which he said that the fraud on the public through the mail, through advertising stock that did not exist, was $600,000,000 a year. The frauds in the past few years of the present century exceed the frauds of the nineteenth century. A century ago the world was aghast at the South Sea Bubble fraud, but it was nothing compared with fifty frauds committed today. Therefore it is incumbent on parliament to protect those who want to preserve the food that is produced in its original pure state. In reference to the scientific farming that is now going on in the Northwest, where farmers on a large scale are most careful to select their seeds, free from weeds, and cultivate their land thoroughly, and reap from 30 to 35 bushels per acre of No. 1 wheat; have they not the absolute right to have that wheat sent in its best condition to the market? If an opportunity is given to tamper with it, it is sure to be tampered with. That was the necessity for this Bill. The evidence in the department is conclusive on that point. It has been going on for two or three years.

Hon. Mr. THOMPSON—If the farmers sell that wheat and it has passed out of their hands, what right have they to say that wheat shall be shipped in any form?

Hon. Sir RICHARD SCOTT—It was stated on both sides that this Bill was not to apply to the elevators that were on the lines of railway. It was to apply only to the terminal elevators at Fort William and Port Arthur. Grain that is not sold is sent there by the farmers. It is forwarded to the elevator in cars.

Hon. Mr. THOMPSON—And mixed while the farmers own it?

Hon. Sir RICHARD SCOTT—Mixed while the farmers own it. There is the tempta-

tion and the opportunity to do it, and human nature of this age is not equal to the strain, with the opportunity to either degrade or elevate the particular standard, whichever may be in their interest. The evidence that it has been done in the past is absolute. The proposition is this: if it is found to be the best course to pursue that the persons who now have interests in those elevators, apart from the Canadian Pacific railway, speculators who are interested in the elevators should be put on a level with the general public and with all other persons, that they should have no special interest in the elevator. It is not fair that those who are interested in blending grain should alone have the opportunity of doing it at Port Arthur or Fort William. Why should not the outsider, who owns other elevators up there be on the same plane? Is there anything unreasonable in it? One gentleman argued against the proposition because it was confiscation. There is no confiscation about it. Power will be given to expropriate in the public interest, and in that expropriation the owners of the elevator will get the full value that was put into it. In all cases of expropriation the person whose property is expropriated has always had the advantage? I have had nearly half a century's experience in expropriations, and have acted for the government or as counsel for one side or the other, and I do not hesitate to say that in ninety-nine cases out of a hundred the public who have been dealt with through arbitration have obtained an enormous advantage.

Hon. Mr. LOUGHEED—Do I understand my hon. friend to say that it is the intention of the government to expropriate?

Hon. Sir RICHARD SCOTT—They take power under this Bill to do it.

Hon. Mr. LOUGHEED—Are they going to exercise the power?

Hon. Sir RICHARD SCOTT—Certainly they will.

Hon. Mr. LOUGHEED—Will my right hon. friend confirm that?

Hon. Sir RICHARD SCOTT.

Rt. Hon. Sir RICHARD CARTWRIGHT—They take the power to do it; but they do not pledge themselves to do it as the hon. gentleman will see. Of course if we take possession we will pay.

Hon. Sir RICHARD SCOTT—This House has no power to pass expropriation clauses, because we cannot interfere in money matters. Clause 16 reads:

> The Governor in Council may authorize the minister to construct, acquire, lease, or expropriate for His Majesty any terminal elevator if Parliament has granted the money for such purpose.

Of course, until parliament grants the money it cannot be done. Do hon. gentlemen mean to say the government would insert that clause in the Bill and afterwards say, 'We are going to take possession of these elevators arbitrarily.'

Hon. Mr. LOUGHEED—They do not propose to take them.

Hon. Sir RICHARD SCOTT—Subclause 16 reads:

> 'The Expropriation Act' shall, in any case, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor.

Where is the improper confiscation of the interests of these men? They make money out of it.

Hon. Mr. POWER—That is the penalty you impose on them, that they make money out of it.

Hon. Sir RICHARD SCOTT—They are making money out of it at present. They will get their money back. In 99 cases out of 100 they get more than their share. I recollect some 39 or 40 years ago, when I was concerned in an arbitration of that kind for a railway company, and there was a barn outside the right-of-way some distance, and the arbitrators added an additional amount to the value of the barn, for the extra insurance that would be necessary, because of the presence of the railway. Either the man got a handsome thing out of the railway company or the insurance company made a handsome thing out of the barn. I think in reading the earlier Acts

on the subject, that parliament had in view additional inspection of the grain going out, or that there might be. I was challenged yesterday. I speak now subject to correction, but when it was suggested that the party owning the grain should be entitled to a certificate of inspection when it was leaving; that is, if a man sent to the elevator 1,000 bushels of No. 1 northern, he had a right to receive a certificate for 1,000 bushels of No. 1 northern. It was denied in the argument that that should be insisted upon. As I read the former Act, I think it was contemplated that in any case the certificate should be given. The Act passed in 1908 reads:

'Any grain inspected at Fort William or any other western points may be reinspected at Fort William or other terminal elevators in the division without additional charge, but any grain not inspected west of Fort William shall be inspected at that point, and certificates shall be issued, etc.'

That provides that a man would have a right to demand a certificate for the same grain that he put in the elevator.

Hon. Mr. YOUNG—That was not questioned.

Hon. Sir RICHARD SCOTT—It was challenged yesterday. I have forgotten exactly who made the statement, but it was said that that was an unreasonable demand to make. Then to show that parliament in former legislation meant that the farmer who sent his grain specially to be held in his own name was entitled to have the same grain delivered to him, I cite subsection 3 of section 126 of the Inspection of Grain Act of 1908, which says:

'The chief inspector shall issue such rules and regulations governing the inspection and outward shipments of grain from Fort William as will satisfactorily identify inspection certificate with the railway shipping Bill, and the part of the grain covered by such certificate, and so on.'

It was evidently intended that parliament meant that the man should be entitled to take from the terminal elevator the grain put in; that he should be able to identify it in some form or other, and that he should not be cheated by having it blended with other grain of inferior quality. Considering the division of opinion between the gentlemen coming from those provinces, the Senate should feel bound to send this Bill to the other Chamber much in the shape it was when introduced by the government. There are 21 members representing the three provinces in the House of Commons, and it would seem reasonable that their views, at all events, ought to be consulted before the Bill is finally emasculated in the most important clauses in it, because they represent more or less the people of the three provinces than do our friends in the Senate. The question for the Senate now is in regard to striking out this clause. My recollection is that the report of the committee was embraced in two or three lines. They recommended that clause 123 be stricken out. That is the crucial point. Now, I maintain that the Senate will only be dealing fairly with the Bill if they send it down in the form in which we received it, and if the House of Commons wish to modify the clauses they can do so. They can speak more directly for the interests affected than we can, and therefore, I shall vote against the striking out of clause 123.

Hon. Mr. POWER—I would not have spoken if the hon. gentleman on my right (Hon. Sir Richard Scott) had not made the observations to which we have listened. He began by saying that the report of the majority practically kills the Bill, that the clauses which the committee proposes to strike out constitute the whole Bill. Now the hon. gentleman is clearly labouring under a misapprehension.

Hon. Sir RICHARD SCOTT—The right hon. gentleman who introduced the Bill made that statement. He said there were only two or three clauses that were debatable.

Rt. Hon. Sir RICHARD CARTWRIGHT—There are other clauses

Hon. Mr. POWER—Perhaps the hon. gentleman was not here when the Bill was being considered before it was referred to the special committee, but he must bear in mind that what was looked upon as the most essential feature of the Bill was the providing of an independent commission to deal with the inspection of grain in the

west. It revolutionizes the whole business, and the hon. gentleman seems to think that that counts for nothing. Several other changes are made in the law. With respect to the clauses now under consideration, it was testified before the committee, and I think the same thing was stated in the House, that the original Bill as framed by the government did not contain these clauses, so my hon. friend is completely in error in thinking that these clauses constitute the essence of the Bill. Then the hon. gentleman undertook—it is a thing I have not seen done often before—to divide the special committee up into two classes, the members of the committee who come from the grain growing provinces and the members who do not, and in order to make a case against the report of the majority, he said, as regards the members coming from the grain growing provinces, that the representatives were equally divided. I think that a member who comes from outside the district where there are conflicting interests is more likely to give an unbiassed and fair judgment than a man who is on the spot and naturally influenced by local feeling. There were six gentlemen in the committee who represented the grain growing provinces, but it must be remembered that the hon. gentleman from North York (Hon. Mr. Campbell) represented a very important element, that is the milling interest, who are just as much concerned as the grain growers are, and that he was one of the majority. Then the hon. gentleman quoted a speech of the right hon. leader of the House in order to make it clear that it was the duty of the Senate to pass the measure with this clause. If it had been the opinion of the right hon. leader of the House that that was the case, he would never have referred this Bill to a special committee. If it was his wish and the wish of the government that this Bill should pass with these objectionable, as we think, clauses in it, he would not have referred these clauses to a special committee; because, if his intention was, as the hon. gentleman from Ottawa seems to indicate now, that the government should push clauses 123 and 242 through in any case, then it was an unfair thing to the members of the committee to send them to the committee and to cause the members to sit, sometimes at very inconvenient hours, for the purpose of hearing a vast amount of evidence with respect to the desirability of passing or not passing these clauses. The hon. gentleman, also, while dealing with frauds, did not tell the whole story. It must be remembered that a year or so ago a new practice was adopted of registering grain, and the hon. gentleman did not tell the House that during last season there were no complaints, as far as we know, and no frauds. The frauds took place under the previous condition of things, and very probably the action taken by the government in connection with the frauds which were supposed to have taken place at Fort William has had the effect of preventing the repetition of frauds. If the enforcement of the existing law will prevent the mischief which these clauses were intended to prevent, is not that sufficient? Why should we pass such drastic clauses if they are not necessary? The hon. gentleman took the ground, which has not yet been taken by any of the gentlemen who are in favour of the clauses, that instead of the property becoming forfeited, which it practically would under the operation of clauses 123 and 242, the only result of fraudulent conduct on the part of the owners of an elevator would be expropriation.

I do not pose as a mindreader, but I am quite satisfied that no such idea as that was in the mind of the government when they framed clauses 16 and 17 or clauses 123 and 242. There had been talk of government ownership of elevators, and of the government taking over the elevators and operating them. Clauses 16 and 17, in my humble opinion, were intended to meet that case. If, after this Bill had been in operation for some time, it should be found not to work satisfactorily, the government were as I understand, taking the power under these clauses to expropriate the terminal elevators. If hon. gentlemen take that view of it, then clauses 16 and 17 do not conflict in any way with clauses 123 and 242. The hon. gentleman said it was our duty to pass this Bill, as it came from the government, and let it go to the Commons, who were

supposed, I do not just know why, but who are supposed to be more properly constituted to deal with this measure than we were.

Hon. Sir RICHARD SCOTT—Representative men.

Hon. Mr. POWER—The hon. gentleman has been in politics for a good many years, and I think I have heard him express the opinion that it is a good thing to have a House which is not altogether representative.

Hon. Sir RICHARD SCOTT—Hear, hear.

Hon. Mr. POWER—It is a good thing to have a House, the members of which are not depending on the public vote. Farmers and those who work with them constitute the majority of the electorate in the western part of the country, and the members of the House of Commons, as we know from experience, are not likely to refrain from passing a measure behind which a considerable number of votes is expected to be gathered. Again, if we are supposed to pass the Bill as it comes to us, why send it to the committee? The hon. gentleman appears to think that the evidence given before the committee should count for nothing and be ignored.

Hon. Sir RICHARD SCOTT—It was not sworn evidence.

Hon. Mr. POWER—Neither side was sworn. The fact that evidence is under oath lends a certain additional value to it; but if the witnesses are respectable men, and in the present case I think most of them were, their opinions given without being under oath are worth about as much as their opinions verified by oath. The evidence before us was largely the opinions of business men and there was not a great deal of difference as to the facts.

As I am on my feet, I may say a few words beyond what I intended to say in reply to my hon. friend on my right. I take the view, which I think was held by all the members of the House, until the hon. gentlemen called attention to it, that there was to be no compensation if clauses 123 and 242 were brought into operation. What are we asked to do? 'No person owning, managing, operating or otherwise interested in any public terminal elevator shall buy or sell grain or be interested in any other form of storage of grain.' That is the substance of 123, and 242 says: 'Every person is guilty of an offence and liable to summary conviction and to a penalty of not less than $5,000 and costs, and not exceeding $20,000 and costs, and to imprisonment. Not 'or to imprisonment,' and 'to imprisonment' for any term not exceeding two years,' who violates the clauses I have just read. We had a good deal of evidence before us as to the effect of these two clauses. I am not going to read all that evidence. I shall just read a little. At page 11 a witness who was very much interested was asked: 'What would be the bearing on the purchase of such an elevator?'

The witness had just stated: 'I think you will find it a difficult matter to sell terminal elevators to some one who knows nothing about the business. That is in case clause 123 went into operation. Because if the owners of terminal elevators propose to retain their interest in the country elevators they would have to sell out the terminal elevators. In reply to a further question he said that he believed it would be impossible to secure a purchaser of the interest which he was compelled to sell. Then another witness said:

> Should Senate Bill 'Q' in its present form become operative the value of our Canadian investments would at once be seriously impaired, and we as stockholders in both country and terminal elevators, would be amenable to criminal presecution under the Act, notwithstanding the fact that the corporations in which we are interested are merely exercising the powers granted them in their charters by the Dominion government.
>
> Such is the character of our investments that, under the proposed Act, we should still be criminal offenders even if we should be able to dispose of our country elevator interests in Canada, for we are large holders of stock in grain and elevator companies doing business in the United States, and as such could not legally hold stock in a Canadian terminal elevator.

Mr. Morrison, said in reply to a question as to the effect of this clause 123:

> I do not see as a matter of fact, how that can be operated at all.

We could not sell the elevator. I do not know any one that would be so foolish to buy it without he had feeders for it.

Q. So that if those two sections were to become law so that the two interests would have to be separated, you feel reasonably assured you could not make sale of your interest in the terminal elevator?—A. Yes, I feel quite positive about that.

Q. And it would represent practically a loss to you of the amount invested in it?—A. Practically the amount invested.

It was shown that some of the companies had invested altogether considerably over a million of dollars in elevators. The hon. gentleman on my right seems to think it is a perfectly reasonable and proper thing that that should take place. Another witness said substantially the same thing that practically a private owned elevator would have nothing to do at all if these clauses went into operation. There were a large number of witnesses who gave that opinion, and even some of the witnesses who appeared on behalf of the Bill admitted that if these clauses were put into operation the terminal elevator people would be put out of business. This is a serious proposition, and I do not think that that proposition is filled with that spirit of righteousness which is so becoming to a growing nation like this. I was very much impressed by the appeal that the hon. gentleman from Saskatchewan (Hon. Mr. Douglas) made to help to build up the country on the basis of honour, truth and honesty. If the country starts in on a career which the hon. gentleman was apparently outlining for it, by confiscating the property of a number of people who have invested their capital on the faith of the laws in existence at the time the investment was made, I differ from the hon. gentleman, and I think the country is making a very bad start. That is not the way to start on a career of righteousness and honesty. In fact, it is doing evil that good may result, and that is not supposed to be either a Christian or a statesmanlike thing to do. In fact, substantially the view of the hon. gentleman is very like that of those who follow:

'The good old rule; the simple plan, that they shall take who have the power, and they shall keep who can.'

And if these people who own the elevators are not able to hold on to them so much the worse for them. Such an enactment as is embodied in these two clauses could not be passed either by the Congress of the United States or the legislature of any state of the Union, because they all have constitutions which forbid the passing of such Acts as this, ex post facto laws, or laws which interfere with the validity of contracts. These people came in, and under the existing laws they invested large sums of money and they are entitled to be protected. Although in England they have not a constitution in a strict sense, that is they have not a written constitution, yet no government in England would dream of introducing a Bill to confiscate the property of the people who had acquired it legally. This talk of compensation opens up an entirely new vista. The hon. gentleman pointed out how much more people generally got for their properties under arbitration proceedings than they were worth. Then the country would be called upon to pay enormous sums if they expropriated these terminal elevators. I feel that it would have been better, on the whole, if when this grain elevator business commenced, the owners of terminal elevators had been confined to their own business. If they had been dealt with to a certain extent as common carriers I think it would have been better for all concerned, or at least for the farmers—if there had been a prohibition at the start to the owners of terminal elevators having any other interest in grain. The case is that this business has been going on for a great many years, and that very large sums have become invested and interests of different kinds, not only the interests of the elevator men, but of other men having become involved.

Hon. Mr. TALBOT—If it would lead to the advantage of the farmers that that should be done, is it not well to start it now, when we are only at the beginning of our grain operations in western Canada?

Hon. Mr. POWER—I should be quite prepared to support an amendment to the effect that any on who stated a terminal elevator in the future should not be interested in grain otherwise ; but I do not think you could get any one to undertake to start a terminal elevator no that con-

dition now. The business has been growing up for a great many years now. I think the Ogilvie's have been at work up there for about a quarter of a century, and the manager for the Ogilvies' appeared before the committee and gave the strongest evidence against the measure. Clause 123 contains a provision excepting from its operation one elevator situated at the same place as the mill at the terminal port. That is not the case of the Ogilvie elevator at Fort William. I take the ground that this legislation is not a case of urgent necessity. No abuses of any moment have occurred during the past year.

Hon. Sir RICHARD SCOTT—It is all optional with the government.

Hon. Mr. POWER—No, there is no option about clause 123. It is absolute. As soon as clause 123 becomes law, then it becomes unlawful for any man who owns a terminal elevator to be interested in grain in any other way. It is not a case of urgent necessity. No serious grievance is being suffered jus now by any one. In the Bill apart from these few clauses, there are a great many improvements upon the existing law. I assume that this new commission will be composed of men who are thoroughly familiar with the grain business. The law will be operated by them. By an amendment made by the right hon. leader of the House, they are given ample powers to make regulations with respect to the grain business, and the probabilities are that under the commission no serious abuses will arise; at any rate hon. gentlemen, supposing abuses do arise, is it not wiser for us as business men to say. 'We shall let those commissioners, whose whole business it is, to deal with this grain question, to tell us next session, or the session after, what amendments they think the law requires, than to go to work without any consideration or reflection and make a change in the law which is going to have such very serious and pernicious consequences as this will. That is my view about it. If it is found, when this Bill goes into operation without these clauses, that the law still needs amendment, we shall hear next year or the year after from the commission, and we shall be able to make amendments that will remedy in a satisfactory way, and without unduly hurting any interest, the abuses which may happen to arise.

Rt. Hon. Sir RICHARD CARTWRIGHT—The speeches of my two hon. friends just show what very different impression is likely to be made by a Bill of this kind on the minds of hon. gentlemen, even of their long experience. Now, I think, as is very often the case, the truth will be found to lie between the two extremes. I say to the hon. gentleman from Halifax (Hon. Mr. Power) that when the government agreed to remit this measure to a committee of this House, it was after very strong representations from members on both sides that it was desirable that the parties affected, in view of the large interests and the complexity of the question, should be heard, and that the House should be fully informed on the question. I am bound to say that I think the House has shown a great deal of patience, and that the committee which took this evidence has also shown much patience and industry in endeavouring to arrive at the facts as far as they could be arrived at. The question is one that has, beyond all doubt, difficulties on both sides. I must say that the evidence which appeared before my department goes to show that in certain cases there were very grave irregularities committed. However the matter may be extenuated or may have been extenuated before the committee, I do not think the injured innocents who appeared before them, and who stated that they had, for the purpose (as well as I understood it) of pleasing the government (because it sounded very like that) pleaded guilty in one case on six counts and in another case I don't know on how many counts, and who had been respectively fined $2,500 and $3,000 by the courts, and who according to the evidence before my department appeared to have mixed grain to the tune of something like 550,000 bushels of wheat in one case and 440,000 in the other—I do not think those gentlemen, at any rate, have much ground for complaint against provision being made to prevent this practice being repeated, and I am not very particularly concerned as to what opinion they may

have as to Canadian law. The government's desire in this matter has been twofold. We wish, as far as we possibly can, to do justice between the parties, and we wish very particularly to see that the high standard which Canadian wheat has attained shall be maintained and preserved, and, if possible, improved. There is no doubt whatever that the clauses to which my hon. friend has alluded are of a pretty drastic character. Under ordinary circumstances, we would not have proposed them; but we have found by experience that this business of handling grain and dealing with grain is one which requires very close supervision and very great power. We propose to entrust that to a commission. I myself, as far as I could, endeavoured to steer a middle course in this business, and the government have taken the matter into their very serious consideration. I think there is reason and ground for the demand that clauses 123 and 242 should be modified, but I do not think they should be abolished altogether, and I propose therefore to submit for the consideration of my hon. friends on both sides, amendments to both those clauses. I will just read briefly the amendment which I propose to submit to this most important clause, 123. I will add, however, that it will involve likewise some amendment to clause 242; but that can be dealt with when we come to it. I propose that we shall add to the first section the following:

That this section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator which has been leased to the commission for operation——

That, of course, nobody could object to——

—or which has been leased to any person, firm or company for operation, with the approval of the commission.

That very slightly increases the powers of the commission at the present moment, but it does give them some new powers in the case particularly of new elevators being constructed and applied for. My hon. friend who interrupted the hon. gentleman from Halifax is quite correct—indeed my hon. friend from Halifax admitted that he was—in thinking that it is desirable, or was desirable, if it had been attended to at first, that the business of storing in these terminal elevators should be separated from the business of buying and selling. All parties will admit that it is a desirable thing to be attained, but it is desirable also that having in view the fact that large sums have been invested in the purchase of country elevators worked in connection with the terminal elevators, that they should not be hastily or arbitrarily confiscated or interfered with, and the clause that I now propose to introduce will give the commission power, while not receding from the principle laid down, to deal with such cases and prevent any unfair use being made, or any injury being committed in the case of parties who have, as stated, invested large sums of money. The commission still retain the power, and will retain the power of closing in certain cases any elevators they have grounds to suspect, or of declining to lease them. With that power, in addition to the other powers, all parties might be fairly well satisfied for the time being. They may rest assured that no arbitrary use will be made of those powers. They will remember that there is an appeal to the Governor in Council in respect to these things, and that the gentlemen who will be appointed commissioners, although holding office for a certain term, still hold during good behaviour, and may be superseded, which is not the case with the Railway Commission. If this clause, which I propose to introduce, is put in, I think it will meet the views of hon. gentlemen on both sides, that it will give further assurance to those who are interested in protecting what I may call the agricultural interest, that every reasonable precaution has been taken and every reasonable power has been given to prevent a repetition of the abuses of which they complain. and, on the other hand, the parties who own both country and terminal elevators may be reasonably assured that their property will not be confiscated. There is not much doubt in the minds of anybody who is practically acquainted with the working of the grain business in the Northwest, and it is certainly the opinion of those officers of my department who have charge of these mat-

ters for periods of eight or ten years, that in former times at any rate, there was a great deal of improper manipulation of grain and that the interests of the farmers throughout the Northwest were seriously affected thereby. Also, I think there is not much doubt that if we succeeded in preventing any improper manipulation, the standard of the whole grain will be materially improved. Hon. gentlemen must remember that while it is perfectly true that before grain receives the government stamp a man is free to do what he likes with his own, after grain has received the government stamp he is not free to degrade that stamp or mix an inferior quality of grain with the superior quality. That has been put very well by my hon. friend from Toronto who, as a practical man, knows very well how considerable the temptation is to mix a quantity of inferior grades with higher grades, and that is the thing that we wish to put a stop to. Without further preamble, I move in amendment to the motion to strike out the clause, that the clause be amended by adding the following:

This section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator (1) which has been leased to the commission for operation, or which has been leased to any person, firm or company for operation with the approval of the commission.

Hon. Mr. TALBOT—I think it would be well for the committee to rise and report progress and sit again to-morrow.

Rt. Hon. Sir RICHARD CARTWRIGHT—We have been discussing this Bill for two or three days; but if my hon. friend wants it, of course, I will not object.

Hon. Mr. LOUGHEED—Much as I should like to see an amicable settlement of this very much discussed point, yet it seems to me this is not only arbitrary but it is so drastic as to very seriously impair the value of vested interests, and injure those interested in terminal elevators. This makes no provision that the commission shall be compelled to give its approval to elevators already in operation at those points. The Act comes into operation upon the passage of the Bill, the separation of the two interests at once takes place; the terminal property of these companies is divorced from the country properties represented by their interior elevators, and until the commission is set in operation and exercises its discretion, its whim, its caprice, or whatever it may be, the property of those men who spent millions of dollars is held in suspense. What may be the consequence to their credit in the meantime? What will be their position with the banks which may be carrying their obligations that are incident to their large property interests? If my right hon. friend had made provision in the Bill to remove that suspense to which I have alluded, I could appreciate the solicitude of the government to protect the property of the parties interested; but that is not the case. Now, the two conditions mentioned in the amendment do not exist to-day, and will not exist upon the passage of the Bill until the commission exercises its discretion either to lease elevators, or to give its approval to the existing companies operating elevators. I appeal to my right hon. friend if that is not an unfair position to place them in.

Hon. Mr. BEIQUE—The commission could not under that wording even permit the owners to operate the elevators. They must be leased.

Hon. Mr. LOUGHEED—Of course this would deal with that class of elevator under lease. Now from the investigation made by the committee, it appears there are two classes of elevators in operation at those points. One class of elevators is leased from the Grand Trunk Pacific and the Canadian Northern to the present operators. The clause would apply to that class of elevators, but the committee was not so deeply concerned about that class of elevators as another class. Those elevators are owned by large railway companies. Their money is in these elevators, and presumably they will be able to look after their own interests. But it is not so with the smaller men who have invested millions in operating elevators. The next section deals with a class of elevators to which I have not referred, namely, the class of elevators used in connection with flour mills. The committee was not concerned in any degree,

and no evidence was forthcoming that that class of interest was very much concerned in the matter. But the class of interest to which I have referred is not provided for.

Rt. Hon. Sir RICHARD CARTWRIGHT —They can obtain a lease and permission from the commission.

Hon. Mr. LOUGHEED—But the wording of this would not meet the case of those who own elevators.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend knows there will be very little difficulty in the owner executing a lease to friends of his who would operate the elevator.

Hon. Mr. LOUGHEED—My right hon. friend would not want anything so equivocal as that done. Another class of elevator has to be dealt with. I am not casting any reflection on whoever prepared this amendment, but it does not meet all the conditions which came before the committee, and the condition which we are discussing, namely, the class of elevators owned by private companies. If my hon. friend will accede to this principle we will be on common ground.

Rt. Hon. Sir RICHARD CARTWRIGHT —Will the hon. gentleman state exactly what he wants?

Hon. Mr. LOUGHEED—I am not prepared to say off-hand what would do justice to the parties interested, but this amendment should at least go as far as providing that the commission shall give their approval to the operation of these elevators already in operation at these points. Then would come into play the machinery of this Bill, which is most ample in any conceivable ramification to control the operation of these elevators, and to guard the public interests. Would it be unreasonable to say that this Bill should make absolute provision, that these men shall have the right to operate their elevators, notwithstanding their interest in country elevators and in the grain business. That is what we are fighting for.

Rt. Hon. Sir RICHARD CARTWRIGHT —They would be granted, I think, leave to operate. It is not the intention of the government; it would not be the intention of the commission to interfere with the existing interest on the ground of past delinquencies. That much I may say to my hon. friend.

Hon. Mr. POWER—I think it would be a good thing to have the committee rise and report the Bill, with the understanding that the hon. leader of the opposition would put in his amendment at the third reading.

Hon. Mr. LOUGHEED—Would my right hon. friend permit me to make a few observations as to these alleged offences. I simply do it in vindication of the action of the committee. Possibly to modify the extreme opinion which my hon. friend seems to have as to the alleged magnitude of these frauds.

Rt. Hon. Sir RICHARD CARTWRIGHT —In that case, I will perhaps, have to inflict on the committee. a little memorandum that is in my hand on the subject.

Hon. Mr. LOUGHEED—I was about to ask my right hon. friend on what he bases the statement which he made to the House as to the alleged frauds which had been complained of.

Rt. Hon. Sir RICHARD CARTWRIGHT —Unfortunately, as my hon. friend knows, although I had the grain commissioner, Mr. Cassels, in attendance for a fortnight, the committee were not able to examine him. He fell ill and then they did not wish to wait, to which I do not in the slightest degree object; but I might tell him that these various irregularities had been going on for quite a considerable time and there had been amendment after amendment made in order to check them, and when I authorized proceedings it was after a report from the officers in charge, made in this case on oath, as to the very heavy discrepancies that had occurred between the grain known to have been entered and the grain which was taken out.

Hon. Mr. LOUGHEED—It would seem to me to be a reflection on the intelligence of that committee if some reference were not made to the inquiry concerning these alleged frauds. We were about to rely

upon the evidence of the warehouse commissioner, Mr. Cassels. At the psychological moment he took ill. Mr. Cassels knew he would have been subjected not only to examination as to the facts, but as to many of the documents. and as to the operation of the system under which he made these charges. I venture to say that if the opportunity had been given to the committee to examine into these charges, based upon the actual information which they had before them; and that information had afterwards been conveyed to my right hon. friend, he would have very considerably changed the opinion which he at present entertains with reference to these alleged frauds. I say that advisedly without casting any reflection upon the officers of the department. If we had been permitted to make the investigation which we expected to make, of these charges, the parties concerned in them, would very largely have been vindicated, and my right hon. friend would have taken an entirely different view of the situation. I know my right hon. friend cannot possibly familiarize himself as to the accuracy of the many facts and representations which are made from time to time, concerning the operation of an industry such as this. Particularly where there are so many interests, one seeking to destroy the other. He must rely upon the representations which are made to him, without any close scrutiny or investigation of his officers. It was therefore the more regrettable that this investigation did not take place. I hold in my hand a copy of the proceedings which were held before the police magistrate with reference to these charges.

Rt. Hon. Sir RICHARD CARTWRIGHT —Perhaps the hon. gentleman is speaking of a different set—a set of charges that were made subsequently and which were dismissed on certain technical grounds.

Hon. Mr. LOUGHEED—I am dealing with the prosecution before the police magistrate.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is the hon. gentleman dealing with those charges in which heavy fines were inflicted?

Hon. Mr. LOUGHEED—Yes, I am dealing with those. I will undertake to put into the hands of my right hon. friend documents and letters and such other evidence as I am satisfied will convince him that these charges are largely foundationless, and I would furthermore undertake to prove that there was never a charge brought against these men, or a fine imposed for mixing. I would undertake to show that the charges were based entirely upon the measurements that had been taken of the contents of the warehouses, and that when the weighing out time came, it was found that the measurements were so inaccurate as to practically vindicate the position taken by the operators at the time. In view of the fact that an amendment is about to be suggested, and my right hon. friend has shown a disposition to protect the interests involved, recrimination will not promote the interests of all parties. or be in the public interest, and the less said about it the better. I would therefore suggest—

Rt. Hon. Sir RICHARD CARTWRIGHT —Supposing my hon. friend accepts the suggestion of the hon. gentleman from Halifax, who is strongly with him, and supposing we pass this, on the understanding that he prepares such an amendment as he sees fit and submits it before taking the third reading. I cannot ask him to do it now.

Hon. Mr. LOUGHEED—How would it do to let the committee rise, and a further subclause might be added to the section which my right hon. friend has proposed.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have no objection to that. I just mention in that case that I propose to amend likewise clause 242, and that, to a considerable extent, would perhaps be as well to consider. I will just place it in the hands of the chairman, so it may go on our minutes, and the two can be considered together. Clause 242, as my hon. friend is aware, contains provisions to which he alluded, and I think my hon. friend from Halifax also alluded to them, making it a penalty in the case of parties having grain elsewhere than in Canada. That might be amended

as follows. We do not propose to alter the penalty but we propose to substitute for subclause 'a' these words:

While owning, managing, operating or being otherwise interested in any public or terminal elevator, buys or sells grain at any point in the western inspection division, contrary to the provisions of section 123 of this Act.

That would be clause 123 as amended. That would very considerably mitigate the severity of the penalties now in force. We will consider the two together.

The CHAIRMAN—This has not been submitted to the House. Does the right hon. gentleman move that it be submitted?

Rt. Hon. Sir RICHARD CARTWRIGHT—I would submit it as an amendment to clause 242 to be considered.

The CHAIRMAN—And this amendment to 123?

Rt. Hon. Sir RICHARD CARTWRIGHT—And then I will move that the committee rise and report progress, and ask leave to sit again to-morrow.

The CHAIRMAN—These amendments are to go in the Minutes?

Rt. Hon. Sir RICHARD CARTWRIGHT—They can be arranged, I presume, in that fashion.

Hon. Mr. DERBYSHIRE, from the committee, reported that they had made some progress, and asked leave to sit again.

CURRIE DIVORCE BILL.

COMMITTEE REPORT ADOPTED.

Hon. Mr. LOUGHEED, in the absence of Hon. Mr. Kirchhoffer, moved the adoption of

The twenty-seventh report of the Standing Committee on Divorce, to whom was referred the petition of William Francis Currie, together with the evidence taken before the said committee.

The motion was agreed to.

HAMILTON DIVORCE BILL.

DEBATE FURTHER ADJOURNED.

The orders of the day being called:

Resuming the adjourned debate on the consideration of the twenty-first report of the Standing Committee on Divorce, to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence.

Hon. Mr. LANDRY—I would ask leave of the House to further postpone the debate until Wednesday of next week.

Hon. Mr. POWER—I do not propose to vote for this Bill, but I think it is hardly fair to the promoter of the Bill that it should be adjourned in this way. It was adjourned before and came up a week ago, and was again adjourned at the instance of the hon. gentleman from Grandville, (Hon. Mr. Choquette) and he is not here, and the hon. member from Stadacona, (Hon. Mr. Landry) proposes to adjourn it for another week. I think the Bill should have fair play. If we are going to kill it let us kill it directly.

Hon. Mr. RATZ—I think my hon. friend is mistaken. When this Bill came up last week it was adjourned at the request of the leader of the House in order to give the Grain Bill preference. I was requested by a member of this House, who is ill, and who would like to speak on it, to have it adjourned until next week. There are two or three hon. members who would like to speak on this question who are out of the city.

Hon. Mr. LANDRY—I have a letter from Senator Choquette requesting me to ask for the adjournment. I will read part of it: 'I am kept here by the funeral of our late lieutenant governor, and I ask as a favour that the consideration of the debate be postponed on the Hamilton divorce until next Wednesday.' As the chairman of the Committee on Divorce is absent, I think that is an additional reason to grant the adjournment that I ask. I hope the debate will be adjourned until Wednesday. If it is possible to reconcile the parties in the case that would be best.

The Senate adjourned until three o'clock to-morrow.

THE SENATE.

THURSDAY, May 4, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

ESTIMATED POPULATION OF CANADA AND THE PROVINCES.

INQUIRY.

Hon. Mr. LANDRY inquired:

What was, on March 31 last, (according to the calculations of the government employees in charge of the matter), the population of Canada and that of each of the provinces of Confederation?
Can the approximate population of the territories be ascertained?

Rt. Hon. Sir RICHARD CARTWRIGHT —The House will understand that these estimates are necessarily very approximate and the officers of the department by no means commit themselves to their being accurate. We shall know the truth accurately in about six months, but the population as estimated is as follows:

1. The population of Canada on the 31st March, 1911, as estimated, 7,901,530.

Population of Canada on the 31st March, 1911, by provinces:

Maritime provinces	1,087,131
Quebec.	2,235,160
Manitoba	540,121
Ontario	2,791,199
British Columbia.	378,141
Alberta.	373,113
Saskatchewan.	425,927

To the hon. gentleman's second question the answer is—Yes.

I repeat, the department cannot pledge themselves to the accuracy of these figures. They give the best information they have.

THE PUBLIC DEBT OF CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired:

What was, on March 31 last, the gross debt of Canada?
The net debt?
What amount was paid in 1910-11, in connection with the debt (interest, commission, &c.).

Rt. Hon. Sir RICHARD CARTWRIGHT —The gross debt, as shown by the books of the Department of Finance on the 31st of March, 1911, was $476,149,802.12; the net debt was $327,856,553.08, and the interest on public debt, $9,984,532.06.

These figures are being changed from day to day as the transactions of the 1910-11 fiscal year are entered. The books will not be closed and the final figures shown until all the transactions of the past year have come to hand and been entered.

QUARANTINE OF SAID GODLIEB.

Hon. Mr. LANDRY inquired:

1. Does the government know whether the Russian Said Godlieb, placed in quarantine early in November last, on the suspicion of being stricken with asiatic cholera, is still detained in quarantine?
2. If not, when was he set at liberty?
3. If he is still detained, how many days was he in detention?
4. What is his present physical condition?
5. What is his mental condition?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers furnished to me by the department are:

1. Yes.
2. Answered by 1.
3. Since November 17, 1910.
4. Very good.
5. Still suffers from mental derangement.

DELAYED RETURNS.

Hon. Mr. LANDRY—I propose on Tuesday next to call the attention of the hon. minister to a certain number of returns ordered by the House that have not been furnished yet. I will give him a list on Tuesday.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will have the matter attended to.

NEW LIEUTENANT GOVERNOR OF QUEBEC.

Hon. Mr. LANDRY—Would the hon. leader take us into his confidence and give us the name of the new Lieutenant Governor of Quebec?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the hon. gentleman will see on Saturday next an entry in the 'Official

Gazette,' mentioning the name of the Hon. Sir Francis Langelier.

Hon. Mr. LANDRY—We shall not know before that date?

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman will not know officially before that date.

SUTHERLAND DIVORCE CASE.

CONSIDERATION OF REPORT POSTPONED.

The orders of the day being called:

Consideration of the twenty-eighth report of the Standing Committee on Divorce, to whom was referred the petition of George Mackay Sutherland, together with the evidence taken before the said committee.—Hon. Mr. Kirchhoffer.

Hon. Mr. McMULLEN—In the absence of the chairman of the committee, I move the adoption of this report.

Hon. Mr. CLORAN—The report has just been distributed, and we are asked to pass on the case without having time to consider the evidence.

Hon. Mr. GIBSON—It was distributed yesterday.

Hon. Mr. CLORAN—And we are asked to vote on it now?

Hon. Sir MACKENZIE BOWELL—I move that the order of the day be discharged, and that it be set down as an order for to-morrow.

The motion was agreed to.

EIGHT-HOUR LABOUR BILL.

REFERRED TO COMMITTEE.

The order of the day being called:

Resuming the adjourned debate on the motion of the Hon. Mr. Campbell that (Bill 3), 'An Act respecting the Hours of Labour on Public Works', be referred to a special committee.

Hon. Mr. LEGRIS—When I moved the adjournment of the debate last week, my intention was to oppose the reference to a special committee; but considering the fact that a certain number of members of this House consented to the second reading on the understanding that it should be referred to a committee, I withdraw my objection.

Hon. Mr. DANDURAND—There was a motion made to send this Bill to a special committee composed of seven members, I believe, and there was an amendment moved by the hon. gentleman from Wellington (Hon. Mr. McMullen) that two or three names be added. The amendment was put, so that the debate is now on the amendment.

The SPEAKER—I am informed by the clerk that the amendment was not put.

Hon. Sir RICHARD SCOTT—The House will remember that I took exception to it, for the reason that in my judgment the parliamentary practice was not to select the opponents of a Bill as members of a special committee, they having already expressed opinions adverse to the principle of the Bill, and it was inconsistent that they should be appointed on the committee. I referred to the Speaker, and the question arose whether it was a rule of the Senate. I think the hon. gentleman from Hastings (Hon. Sir Mackenzie Bowell) reminded the House of a similar case where it had been held that it was not proper that the opponents of a Bill should be on the committee. However, I did not press it.

Hon. Mr. CLORAN—Before the amendment is put, I should like to have a clear understanding in regard to this matter. It is one in which many of the representatives of the people of this country are interested, and they would like to know exactly where the Senate stands in regard to it, and I also desire to know. It was stated in a former debate on this question that the fact of referring the Bill to a special committee would not kill it. What will be the function of that committee? Will it be simply to hear evidence and report it back to the Senate? If that is the object and function of the committee, I have no objection; but if the committee is to be given the right to tell this Senate that the Bill should be rejected, I certainly would not be in favour of the amendment or the motion. I think it would not be in line with common sense that this committee should be asked to pass on the merits of the Bill. A large number of the members of that committee have distinctly and publicly declared their opposition to

the Bill, and they are irretrievably opposed to it and will not hear any argument. They are against the Bill, and no matter what evidence you bring before them they would have a right to report to the Senate that the Bill should be rejected. That is not a proper position for the House to be placed in. If the understanding is that this committee will have the right to report that the Bill should be rejected or adopted—I care not which—it is not right. If the committee is to take evidence, the Bill can be kept before them for the next three months, and that will be a way of killing it indirectly. I do not think that is fair on the part of this House towards the working classes of Canada.

Hon. Mr. McMULLEN—Evidently there is an omission from the record of an amendment moved by myself to this motion. It was that the names of Messrs. Béique, Ross, and myself be added to those mentioned in the motion. The hon. gentleman from Ottawa took some objection to the amendment, but now having withdrawn that objection I renew my amendment.

Hon. Mr. CLORAN—I should like to have some one explain the full purport and meaning of the motion, and what the powers of this committee will be. If it is necessary to make the meaning clear. I am prepared to add that they report the evidence and not merely the finding of the committee.

The amendment was agreed to.

Hon. Mr. ELLIS—I have already expressed my view that to send this Bill to a special committee will not advance the cause in the slightest degree. All the evidence that can possibly be adduced is already before the Senate in the report made by the committee of the other House, where experts were employed to take evidence upon the subject. Nothing additional can be done by a committee, and my own observation is that a committee very often rather interferes with the principle of a Bill than advances it. Further than that, the House has affirmed the principle of the Bill, and ought to be able to decide upon the arguments advanced and the evidence supplied whether the Bill is desirable or not. Therefore, it would be better to divide the House upon the matter, and I shall ask that a vote be taken.

Hon. Mr. CLORAN—I am heartily in accord with the views of the hon. gentleman from St. John. He is in line with the public sentiment of the country. I understand the motion before the House now is to refer the Bill to a special committee. Would not an amendment be in order, that this Bill be referred to a Committee of the Whole House at once? If the hon. member from St. John will move such an amendment, I shall be happy to second it.

Hon. Mr. THOMPSON—In the absence of the hon. gentleman from North York (Hon. Mr. Campbell), who has this Bill in charge, it would be better to move that the order of the day be discharged and that it be placed on the orders for Tuesday next.

Hon. Mr. CLORAN—I am quite willing to accept that.

The SPEAKER—Is that a motion?

Hon. Mr. THOMPSON—I am willing to move it now.

Hon. Mr. POWER—I quite recognize the strength of the position taken by the hon. gentleman from St. John, and if my memory serves me the hon. gentleman took the same view when the Bill was at an early stage and before it had been read a second time. The House decided otherwise and a number of gentlemen who were then present, and who are not now present, agreed to the second reading of the Bill, with the distinct understanding that they thereby did not commit themselves to the principle of the measure. It would be a breach of faith to now undertake to say that the Bill would not go to a special committee, but that we shall immediately refer it to a Committee of the whole House. The faith of the House is practically pledged to send this Bill to a special committee, and the hon. gentleman from De Lanaudière, who is one of the warmest advocates of the Bill, has actually made a motion to-day, I think, to refer it to the

committee, and I hope the House will not be guilty of what will be, practically, a breach of faith.

Hon. Mr. CLORAN—I think the hon. gentleman is right in that remark and I agree with the hon. gentleman from Fredericton, and would accept his suggestion that this matter be laid over until next week, to give the hon. member who is in charge of the Bill a chance to address the House, and also to give an opportunity to the hon. members to speak who were under the impression that it would be referred to a special committee. I think the hon. member from Halifax (Hon. Mr. Power) is justified in saying that the House is more or less pledged, at the present moment, to refer the Bill to a special committee. Since that time we have found that referring it to a special committee practically means killing the Bill, and we do not want that. I think the suggestion thrown out by the hon. gentleman from Fredericton (Hon. Mr. Thompson) would meet the case. It would give an opportunity to the Senators who voted on this question to change their minds.

Hon. Mr. CASGRAIN—The hon. member from York (Hon. Mr. Campbell) stated every time he spoke on this Bill, that if the Senate passed the second reading of the Bill, hon. gentlemen were free to vote on it without committing themselves to the principle, and his intention was to have this Bill go to a special committee. The hon. member for Halifax (Hon. Mr Power) has stated the same thing and that is exactly what took place. I also urged that this Bill should be given a second reading. It has been done many times before. Bills have passed a second reading in order that they might go to a committee without members being committed thereby to the principle of such Bills. The hon. member from De Salaberry (Hon. Mr. Béique) reminds me that he moved the six months' hoist, but withdrew the motion because it was agreed that the Bill should go to a special committee. In the interest of those who wish to establish an eight hour day, as far as government work is concerned, it is better to let it go to the committee, even if this committee makes a report that would not be favourable. It would still be within the province of the Senate not to accept the report. Under the circumstances it should go to the committee.

Hon. Mr. ELLIS—When the Bill came into the House, there was some hesitation as to who should take it up, and somebody said Sir Richard Cartwright; but the hon. member for York (Hon. Mr. Campbell) moved for a committee, and I followed immediately, and I do not see that any pledge was made to the House or that there is any necessity for holding to that view, although I admit that the statement made by the hon. member for Halifax is the statement that was made. I do not wish to make myself obnoxious by asking for a division, but it seems to me that after all that has been done, it would be a great deal better to have this matter finally disposed of now.

The SPEAKER—The question is on the motion, shall the Bill be referred to a committee to report thereon?

Hon. Mr. CLORAN—Before the motion is carried——

Hon. MEMBERS—Order.

Hon. Mr. CLORAN—How am I out of order?

Hon. Sir MACKENZIE BOWELL—The hon. gentleman has no right to rise after the motion is put by the chair.

Hon. Mr. CLORAN—I am asking for an explanation. If the hon. member for Halifax——

Hon. MEMBERS—Order.

Hon. Mr. CLORAN—I think I asked His Honour the Speaker a very fair question, to give the purport of that motion, and the chair did so, stating that it was simply to refer the Bill back to the committee, and I stated that if it gave the committee power to reject or adopt the Bill, I would not agree to it. That is the point I wanted clear, and I was not making a speech.

Hon. Sir MACKENZIE BOWELL—I would like to call attention to the rules.

Hon. Mr. CLORAN—I am asking an explanation from the chair, and I want no interruption, I do not care from whom it comes. The hon. member from Hastings (Hon. Sir Mackenzie Bowell) has no right to interfere.

Hon. Sir MACKENZIE BOWELL—I have a perfect right to call for order, and the hon. gentleman has no right to stand while I am calling attention to the rules of the House.

Hon. Mr. CLORAN—I am asking the chair for a decision, and the hon. gentleman has no right to interfere with my privilege.

The SPEAKER—The hon. gentleman will understand that when the order was called I distinctly read exactly what was the motion before the chair and the amendment that was then proposed. The amendment was acceded to, and the motion remained before the House as one for reference to the committee composed of all the names that had been suggested in the original motion and the others. At that time, the hon. gentleman did address some observations to the Bill; that was on the motion. Now the question is on the motion as it stands.

The motion was agreed to.

SONGHEES INDIAN RESERVE BILL

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 179) An Act respecting the Songhees Indian Reserve.

He said: This is a Bill to confirm an agreement for the sale of this reserve, which I understand is in the city of Victoria, and covers a very valuable tract of property there which the government of British Columbia desire to acquire. The full particulars are set out in the schedule hereto annexed, signed by Mr. Oliver as Superintendent General of Indian Affairs, and Mr. W. Ross on behalf of the British Columbia government. The quantity of land is not large, but is very valuable, and the main provisions in the agreement, as the House will see, are that the head of each Indian family is to have $10,000 apparently placed to his credit, and some further portions of land apparently are to be set aside for their benefit. I think nobody can complain that our Indian wards are not being well treated in this particular matter. I believe the band is now very small. Probably my hon. friend from British Columbia can state whether that is correct or not. At any rate, prima facie, the interests of the Indians appear to be fully conserved, and, under those circumstances, I presume there will be no objection to the transfer being carried out as between the two governments.

Hon. Mr. LOUGHEED—Is this fund administered by the Superintendent General of Indian Affairs, or how is it administered? I mean will this amount of $10,000 be placed to the credit of the head of each family.

Rt. Hon. Sir RICHARD CARTWRIGHT—This is a very peculiar case. I think the sum total largely exceeds $10,000. That sum will go to the head of each family, which was the condition, I believe, on which they were induced to sign; the balance, I believe, will remain in the hands of the Superintendent General to be administered for their benefit. They will also get, as he will see, a certain reserve on which they will be placed, in lieu of the land that they at present occupy. That, I understand, was within the terms of the Act. I do not see in this agreement the sum total mentioned, but that I believe is the undertaking between them—that each head of a family shall receive $10,000, and that they also get a piece of land sufficient for their purposes, and that the balance be held by the Superintendent General.

Hon. Mr. LOUGHEED—That gives the head of each family absolute dominion over the $10,000.

Rt. Hon. Sir RICHARD CARTWRIGHT—So I understand.

Hon. Mr. LOUGHEED—I do not know whether it is the practice of the Department of Indian Affairs to administer a fund of that character.

Rt. Hon. Sir RICHARD CARTWRIGHT—Under ordinary circumstances it cer-

tainly is not; but this land, I believe, is a tract in the centre of the city of Victoria, or nearly so, and the inhabitants of Victoria have been anxious for a very long space of time—my hon. friend beside me (Hon. Sir Richard Scott) says for a whole generation—to get rid of the Indians in some way or another. The Indians sat tight, and apparently were more than a match for the white man, and have made their own terms. I believe these Indians are in a pretty advanced stage of civilization and very well able to take care of themselves. How far they are pure bred Indians, or how far they are Indians of a mixed type I do not know. Perhaps the hon. gentleman from British Columbia can tell us; but in any case we are presented with this alternative, unless they receive a large sum in cash for their absolute disposal they would not go, and apparently we had no means of making them go. On the other hand, it was very much in the interest of the people of Victoria that they should be removed. The two governments have come to the conclusion that this is the best that they can do for them.

Hon. Mr. MACDONALD (British Columbia)—I am sure the government is very well pleased to have this matter settled without any expense to the Dominion. It has been a long-standing sore to some people in British Columbia, although not to me. There are hundreds of acres of land unoccupied in the city of Victoria, across the harbour from the heart of the city. Perhaps it is a good thing to have these Indians removed, but the price paid is excessive—$400,000 to forty Indians, and I believe the control of that money is to be given to the Indians. The money is to be placed in the Bank of Commerce until they are removed, but after their removal it is to be theirs to do with it as they like. The worst is that they will be removed to some land only three miles from Victoria, and in the very best part of Esquimalt harbour, which is a naval base. In the interest of morality it is the very worst thing that could be done. We know what sailors are and what Indian women are, and when they are placed in juxtaposition, we know what is likely to take place will not be in the interest of morality. I told Premier McBride the same thing, and he said they would not be long there, that their location there was only temporary and that they would probably be removed in a few years. They could have got plenty of land more suitable for the Indians at less than half the price that has been paid for this reserve. They are not only paying $400,000 to the Indians, but they have bought 200 acres of land from the Hudson Bay Company, in the most beautiful part of British Columbia, for which they have paid about $200,000 more, making the cost of this reserve about $600,000. Although I support the government of British Columbia, I cannot approve of the manner in which they are administering the public funds in this case. If the funds were their own, they would not do what they have done in this instance.

The motion was agreed to, and the Bill was read the second time.

SECOND READINGS.

Bill (No. 45) An Act respecting the Montreal Park and Island Railway Company.—Hon. Mr. Casgrain.

Bill (No. 104) An Act to amend the Post Office Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 132) An Act to correct certain clerical errors in the French version of the Inland Revenue Act.—Rt. Hon. Sir Richard Cartwright.

THE GRAIN BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole, consideration of (Bill Q) 'An Act respecting Grain.' And on the consideration of the report of the Special Committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q), 'An Act respecting Grain.' And also on the consideration of the minority report, presented by certain members of the Special Committee appointed to consider and report upon clauses 122, 123 and 242 of (Bill Q) 'An Act respecting Grain.'

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT—The first amendment to be considered is the following:

No person owning, managing or operating or otherwise interested in any public or terminal elevator shall buy or sell grain at any point in the western inspection division.

This section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator (1) which has been leased to the commission for operation, or which has been leased to any person, firm or company for operation with the approval of the commission.

Hon. Mr. LOUGHEED—Just at that point, when my hon. friend moved this amendment yesterday, I pointed out the fact that subsection 1 of this section dealt with two classes of cases, and did not touch a third class, which probably received more attention at the hands of the committee than the two classes referred to. The following classes are dealt with in this subsection: one class 'Which has been leased to the commission for operation.' That would permit, of course, of the owners of the terminal elevators leasing their property to the commission. Then there is another class, 'Or which has been leased to any person, firm or company, for operation with the approval of the commission.' That would deal with another class of terminal elevators where the persons owning the terminal elevator had leased to other persons their terminal elevator with the approval of the commission. I propose moving an amendment to this subsection, dealing with the class of elevator which has not been leased to the commission, or which has not been leased to a company with the approval of the commission, but which may be managed and operated by the owners thereof, subject to being operated by persons approved of by the commission. The amendment would read as follows:

'Add to the amendment to subsection 1 of section 123, at the end thereof, the following words:

'Or which is managed and operated by persons approved of by the commission.'

This amendment will have established the three classes of cases, namely the terminal elevators leased to the commission, the terminal elevators leased to companies under the approval of the commission, and terminal elevators managed by persons approved of by the commission.

Hon. Mr. POWER—There are several subsections in this section, and it is the first subsection that is referred to. In order to prevent any misapprehension or difficulty which might arise from supplying subsequent subsections, the amendment should be made to the first subsection.

Hon. Mr. LOUGHEED—May I suggest that the word 'board' should be used instead of 'commission.' The word commission should not be used in the sections.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is quite right.

Hon. Mr. MACDONALD (British Columbia)—Would that amendment enable an elevator owner to buy and sell grain? It is prohibited by the first part of the Bill.

Hon. Mr. LOUGHEED—Yes, if he has the approval of the board.

The CHAIRMAN—This is the way the amendment will read: 'No person owning, managing, operating, or otherwise interested in any public or terminal elevator shall buy or sell grain at any points in the western inspection division. The first subsection shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator.

2. Which has been leased to the board for operation, or which has been leased to any person, firm or company for operation with the approval of the board, or which is managed or operated by persons approved of by the board.

3. Which is used or operated in connection with any flour mills situated in the same terminal point as such elevator, provided, however.'

Is the right hon. gentleman satisfied with this?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

The motion was agreed to, and clause 123, as amended, was adopted.

On clause 242,

Rt. Hon. Sir RICHARD CARTWRIGHT moved that subsection (a) of clause 242 be stricken out, and the following inserted:

'While owning, managing, operating, or being otherwise interested in any public or terminal elevator, buys or sells grain at any point in the western inspection division contrary to the provisions of section 123 of this Act.'

The amendment was agreed to, and the clause, as amended, was adopted.

Hon. Mr. DERBYSHIRE, from the committee, reported the Bill with amendments, which were concurred in.

WATER CARRIAGE OF GOODS ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. DOMVILLE moved the second reading of Bill (X 2) An Act to amend the Water Carriage of Goods Act as regards the delivery of wood. He said: This is to amend a section of the existing law which is very hard on the shippers of lumber throughout the Dominion. I have here a petition which I wish to read. It is as follows:

To His Excellency the Governor General and to the Honourable the Members of the Senate and the Members of the House of Commons of Canada.

The pettion of the undersigned humbly sheweth:—

1. That by Act assented to on the fourth day of May 1910 being 9 and 10 Edward VII, Chapter 61, it was enacted by section 10 thereof, as follows:

'10. In case of wood goods, notwithstanding anything in the Charter Party, Bill of Lading or other shipping documents, the owner, charterer, master, or agent of the ship, or the ship itself, shall only be bound to deliver to the consignee the pieces received from the shipper, and shall not be held responsible for deficiency in measurement; and any words inserted in any Charter Party, Bill of Lading or other shipping document for the purpose of making the owner, charterer, master, or agent of the ship or ship itself, liable for deficiency in measurement in such case shall be illegal, null and void of no effect.'

2. That this section has created great difficulties to your petitioners and to all others engaged in the lumber business in this country inasmuch as purchasers of lumber in Great Britain and Ireland have refused to contract for or purchase lumber shipped from Canada except on the terms of the shipper guaranteeing that the purchaser will receive the number of pieces and measurement invoiced.

3. That it was customary, prior to the coming in force of this Act which custom had existed as long as the trade, to insert in all Bills of Lading of wood goods a clause known as the conclusive evidence clause whereby it was stipulated that the Bill of Lading should be conclusive evidence as against the ship as to the quantity received and the ship thereby undertook to become and became responsible for delivering the quantity of lumber loaded on board of it as shown by the Bill of Lading.

4. That such clause was fair to all parties as the ship had the opportunity of checking the lumber while being loaded by a sworn surveyor at a very small cost and as each piece is marked with the size, and accurate survey could be readily obtained and the ship thereafter had the custody and control thereof, so that it alone could account for any loss or shortage.

5. That by section 10 of the said Act the conclusive evidence clause is rendered illegal and the ship is held not to be responsible for any deficiency in measurement or pieces specified in the Bill of Lading.

6. That your petitioners are under great disadvantage in competition with the rest of the world dealing with the British, Irish South American, Australian and African markets, especially with shippers from the north of Europe, the principal competitors of Canada where no such legislation obtains, and the said section of said Act opens a door to fraud and causes great loss to your petitioners, and to the lumber trade generally of Canada and is also in addition to the financial loss the cause of great inconvenience and difficulty to all Canadian shippers of lumber.

7. That shortage in delivery when the same occurs is due to matters happening after delivery to the ship and while the goods are in transit and it is unfair to the shippers to throw upon them the burden of accounting for any loss thereby occasioned, such circumstances being purely within the knowledge of the ship.

8. That the shipper has no opportunity of checking the quantity delivered by the ship and therefore has to depend entirely upon the purchasers or consignees figures excepting in the limited number of cases where the cargoes are discharged in public docks in Great Britain, and it is unjust to transfer the responsibility for shortage in number of pieces and quantity delivered from the carrier who actually makes the delivery to the shipper who has nothing to do therewith.

9. That by the elimination of the responsibility of the ship for the delivery of the quantity specified in the Bill of Lading, the Bill of Lading is rendered of doubtful value and practically ceases to be a negotiable document to the great loss and damage and inconvenience of the Canadian shippers: and the timber trade generally in England who have considered this question have agreed to refuse such Bill of Lading, this principle being announced at a conference between the Bristol Channel Timber Importers Association and the Timber Trade Federation of the United Kingom held at Liverpool on the 22nd day of February last and have so notified the Canadian Trade.

10. That the legislation affects disadvantageously the most important Canadian industry and also causes friction with the trade generally in Great Britain and Ireland and elsewhere and confers no benefit on any substantial Canadian interest.

11. That with great trouble and expense a trade in lumber has been built up between Canada and Australia, South America and

South Africa, which has already attained considerable proportions and it will be impossible to continue this trade unless the purchaser can rely upon his Bill of Lading and the entire trade will be lost by Canada in favour of countries which have not adopted this unfair and onerous restriction on the freedom of contract.

12. That the lumber trade in Canada had no knowledge that the legislation embodied in this section of the Act was proposed and the same was a complete surprise to them and they had no opportunity to present their position to the house or be heard with respect thereto.

Your petitioners therefore pray that the said section 10 of the said Act may be repealed.

And your petitioners as in duty bound will ever pray.

Rt. Hon. Sir RICHARD CARTWRIGHT—Was this particular clause which is complained of in the original Bill as it passed the Senate, or was it inserted in the Commons?

Hon. Mr. DOMVILLE—It is said it was inserted there. This petition is signed by George McLeod, a well-known lumberman, and I fancy all the lumbermen of our province—I cannot say as to other provinces—have asked for this. They complain that it is a surprise to them. Had they known this section was to be inserted in this way, it would not have gone in as it did. Here is another paper issued by them:

GOOD REASONS WHY SECTION TEN OF WATER CARRIAGE OF GOODS ACT SHOULD BE REPEALED.

This Act was introduced at the instance of Canadian shippers as a protection against powerful foreign ship-owning firms, such as Elder-Dempster, Donaldson Line, Head Line, Lord Line, Ropner & Son, Furness, Withy & Co., Maclay & McIntyre, and others, who, on account of their position and influence, can dictate any terms they wish.

Section 10 was an amendment introduced by a member of the Marine Committee at the last moment and passed without general discussion and without the knowledge of shippers of lumber.

Public carriers by land or water must give a clean bill of lading. Section 10 makes lumber by water carriage an exception. This does not obtain in any other country and should not in Canada.

Lumber is generally delivered to a ship in lighters, and delivery is made by the shipper when the lighter is moored to the vessel. The hoisting of lumber aboard is in charge of the ship's stevedore. In careless handling pieces may be dropped overboard out of the sling which should be immediately recovered, but if no clean bill of lading is to be given, no care would be taken. Section 10 puts a premium on carelessness which should not be.

There is no difficulty for the ship to have the lumber surveyed, and it is the ship's duty to make survey. A competent licensed sworn surveyor will do the work for five cents per thousand, if survey already made is not acceptable.

The custom is that the survey is made by an independent sworn surveyor appointed under statutory authority, and it is accepted as final between manufacturers and shippers, and has been and should be satisfactory to the ship.

Under section 10 the bill of lading is not negotiable and bankers will not make advances as heretofore. Canadian lumber is discriminated against and insurance protection is not possible for small loss as formerly. The ship takes no responsibility, the shipper must guarantee quantity to port of destination anywhere, thus opening a door to carelessness and fraud.

No hardship existed under the previous system, which was universal in all countries. To-day Canada alone stands opposed to a Canadian shipper of lumber to foreign countries in a foreign bottom getting a clean bill of lading.

Section 10 is not fair or just to the people of Canada, and we respectfully ask for its repeal.

I shall now read an extract from a letter, dated 1st May, 1911, St. John, New Brunswick, from Mr. George McKean, a lumber merchant of that city:

In case an argument arose on this matter, I would just suggest to you; what these people say is: 'Well, the vessel is bound to give you a bill of lading for the number of pieces, and if you get the number of pieces that you deliver to her, what more do you want? And if she is short of the number of pieces she has got to pay.'

Now, in regard to this, suppose we admit that the vessel delivered us the number of pieces exactly all she received, but as a matter of fact any vessel loses more or less; that is almost unavoidable. Now, suppose a vessel is loading a cargo of deals and scantling which start with sizes 2 x 3 inches and finishes with sizes 14 x 3 inches. If she loses none of the 2 x 3 and any considerable quantity of the larger deals, and it is the very large and heavier deals that frequently slip out of the slings, then she is losing something that cannot be ascertained by counting the pieces and give back to us what we loaded on board the vessel. Fraser Gregory, I think, stated this fully in his evidence, and as the evidence was taken in shorthand, I could not get a copy of it before I left; that it is the clear duty of these fellows to take an account of their cargo which they can do for a very small sum of money, is a thing that they cannot complain about, and it has got to be insisted on.

Now, I will relate to you a little difficulty that is staring me in the face. At the present time I am loading on the south side of Nova Scotia a vessel named the 'Valerie.' She is about 1,900 tons register and will carry about 1,800 M. The value of this stuff is $18 per thousand, so that the cargo is worth about $30,000.

Now, I sold the cargo free on board the ship; the buyer of the cargo produced this vessel to carry it away. She is under the Russian flag and the vessel is bound to Buenos Ayres, Roads, for orders to discharge at La Plata, Monte Video, Buenos Ayres or Rosario, and the custom of the trade and what we have always done before for these people, and what we are bound to do under our contract, is to furnish them with a surveyor's inspection of the cargo, a certificate of origin and a Consul's certificate.

Now, suppose that I stick into my bill of lading 'subject to the conditions of the Canadian Water Carriers Act,' this man, who is a Jew I think, and should pay for it by acceptance or in cash, less discount. I am afraid he will object to pay for the cargo when he learns that the vessel is liable only for pieces and not for quantity. Quite a quantity of this cargo is only worth $13 per thousand, while the larger sizes in it, which I think is about 15 per cent, is worth about $27 per thousand. Now, if I do not put in the bill of lading 'subject to the Canadian Water Carriage of Goods Act,' I am liable to a fine of $1,000, and in any case under the laws of Canada my bill of lading is illegal, null and void and of no effect, as stated in clause 10 of the Canadian Water Carriage of Goods Act.

Now, the next show is what is to be done if the buyer of this cargo won't pay for it until it arrives in Buenos Ayres? I will have to lay out the money for three or four months, which is a very great inconvenience, or else get some one in London to give a guarantee on my behalf that the ship will deliver the cargo, and for this I will have to pay. In case the ship is lost, I would have to wait until she is posted at Lloyds and they are not bound to do this until she has not been heard of for twelve months. It beats the devil why any men who know nothing about a trade so intricate as to the custom of the ports, bills of lading and charter parties would attempt to deal with them. One would suppose that the lumbermen had the making of these shows and that the steamship owners and ship owners, the most arbitrary sort of men on the face of the earth, would let us put something into the bill of lading that was unfair and unjust. Since I have been in the trade the charter party has been altered three times, each time after a big fight between the shippers and the owners of the vessels, the one representing the buyer and shipper and the other the ship owners, and they were discussed in every shape and form and agreed upon by both parties prior to the passing of this Act and after having gone on without complaint for years.

We were all very much disappointed that the government had taken very little notice of the deputation, and so sure as faith if this law goes over we will see failures in the lumber trade, as MacKays, Moores, myself, Harrisons and Tyrer borrow and furnish large sums of money to assist the small lumber manufacturers to pay their bills during the months of May and June, and we are asked to make advances on lumber daily. These advances all the shippers here are determined they will not make unless they can handle the lumber. Now, we are feeling the great opposition we have had from shippers, from the Russian port of Riga, a comparatively new place, but this year they have ready, I understand, for shipment about 900 millions of deals, which is three times the production of the entire province of New Brunswick. They never before last year sold in Ireland and to a very small extent on the west coast of Great Britain. These people have always supplied themselves from Canada. Now, with these troubles we are letting the contracts that these people make, go by and there will be a large quantity of stock left on the hands of the people of Canada, and when buyers who own a lumber yard supply themselves for the summer they are not open again until the fall and when the best of the year for building has gone by.

I am merely putting some of the difficulties before you, as possibly you may not have any knowledge of them. You certainly know what a bill of lading is and what it wants to be as well as anybody else.

Hon. gentlemen will understand that when that lumber is on board ship the owner is helpless in any respect, either to borrow money on it on this side or on the other side, or to compel the people to accept the bill of lading or a draft against the bill of lading, because they say: 'We do not know what we are going to get.' He may be a very strong man and the bank may take the risk, or he may not be a strong man, and the bank will say: 'We do not want to get into a lawsuit over the cargo; we want a clean bill of lading.' A bill of lading is like a bill of exchange. It passes from hand to hand like money, it is a negotiable instrument, and therefore, when a security of that kind is created it should be of such a character that it will pass from hand to hand.

That winds up all I have to say. I ask hon. gentlemen to expunge clause 10, which should never have been put in. It is unjust and unfair, and it handicaps the lumbermen in their business, and lumbermen who have been at it all their lives will endorse the statement I make as to the necessity of having a clean bill of lading. Why should lumbermen have this onus put on their shoulders of the right delivery of their cargo at destination? This clause crept in by accident, I am told, after the Bill left the Senate. This clause was added in the Commons as an amendment, and when it came back it was not noticed, and the lumbermen are at the mercy of the ship-owners. I am not going to say that firms like the Elder-Dempster and other large shipping com-

panies would act unfairly; but how many foreign vessels come into our ports, tramp boats, and take lumber on board and there is no way of checking it, or compelling them to put off what they take on. They may lose part of the cargo overboard, or they may have been careless in stowing deck loads and have it lost in this way, but they say nothing about it and deliver what they have and the shipper has to bear the loss. The main point is that their bill of lading is not a negotiable document, and every banker in this House knows what a difficulty it is when you go to a bank without the bill of lading to borrow money in order to replace the lumber that you have sent out.

Hon. Mr. THOMPSON—I think the hon. gentleman has made a very complete argument, and a longer speech than was necessary to convince this House that there is no justice in this legislation. There cannot be any hardship on the ship-owners in respect to what is being asked, from the fact that they are there on the spot when the lumber is delivered to the vessel, and they have a right to tally every stick of lumber that goes into the vessel. It might cause very great harm to the individual shipper. Everybody knows that in the loading of a vessel they have deal ends, small pieces to fill in, in order to make a complete cargo. If the ship loses the deck load, which is composed of the largest timber, and if they count out these deal ends, and count them as pieces in place of the big lumber, then a very serious loss is caused to the shipper. Ship-owners have a right to know what they take in; they have every facility for knowing, and it is only right and fair that they shall sign a bill of lading or charter-party so that the shipper of the lumber and the vessel-owner will be protected. As my hon. friend has said, this has been the law of this country ever since shipping was commenced. This section crept into the Act surreptitiously in the House of Commons. It was introduced by members from another province who represented some ship-owners, and not shippers. They thought it would be a good thing and would prevent the ship from being responsible for what they ought to be responsible for. The Act passed through the House without the knowledge of the people who are engaged in the lumber trade. No harm can be done to the ship-owners by this Bill being carried. It protects both interests, the shippers and the ship-owners. A bill of lading once signed for the delivery of the lumber makes it negotiable paper, and the banks will take it and business can be done a great deal better in that way.

The motion was agreed to, and the Bill was read the second time.

BILLS INTRODUCED.

Bill (A-3) An Act for the relief of Wm. Francis Currie.—Hon. Mr. Young.

Bill (No. 157) An Act respecting the Inspection and Sale of Seed.—Rt. Hon. Sir Richard Cartwright.

The Senate adjourned until to-morrow at 2.30 o'clock.

THE SENATE.

FRIDAY, May 5, 1911.

The SPEAKER took the Chair at 2.30 o'clock p.m.

Prayers and Routine Proceedings.

INTERCOLONIAL RAILWAY EMPLOYEES.

MOTION.

Hon. Mr. ELLIS moved:

That an order of the Senate do issue for a return showing the names, positions and pay of all persons appointed to the Intercolonial Railway Service in the city of St. John, N.B., from September the 1st, 1907 to March the 1st, 1911.

The motion was agreed to.

NORTHWEST TERRITORIES ORDINANCES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Is the Commissioner or the Commissioner in Council of the Northwest Territories authorized by law or has he been authorized by order of the Governor General in Council to enact ordinances on questions under his jurisdiction?

2. In the affirmative did he take advantage of the law or of the orders of the Governor General in Council, to enact such ordinances?
3. What are the matters involved in such ordinances, and have these ordinances been enacted, each of them, in accordance with law, or under the authority of orders in council of the Governor General?
4. If according to law, under what section?
5. If by order in council, what is the date thereof?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes, by statute, but no instructions have been issued by the Governor General in Council.

2. No ordinances have been enacted by the commissioners in council.

3, 4 and 5. Answered by No. 2.

QUARANTINE OF SAID GODLIEB.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for a return of all correspondence between the officers of the quarantine at Quebec and the officers of the Departments of Agriculture, Interior and Marine, and of every other person with respect to the detention at the quarantine at Grosse Isle, Quebec, and to the treatment of the Russian, Said Godlieb, who was declared by medical science to be affected with Asiatic cholera in November last, said correspondence to include the period beyond the period included in the correspondence already laid before this House.

The motion was agreed to.

THIRD READINGS.

Bill (Z-2) An Act respecting the Chatham, Wallaceburg and Lake Erie Company.—Hon. Mr. Derbyshire.

Bill (S-2) An Act respecting the Cariboo, Barkerville and Willow River Railway Company.—Hon. Mr. Riley.

Bill (R-2) An Act respecting certain patents of Munderloh & Company, Limited.—Hon. Mr. Domville.

Bill (No. 64) An Act to incorporate the British Columbia and White River Railway Company.—Hon. Mr. Bostock.

Bill (Q) An Act respecting Grain.—Rt. Hon. Sir Richard Cartwright.

Bill (D-2) An Act respecting the Canada Cement Company, Limited.—Hon. Mr. Béique.

Bill (G-2) An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.—Hon. Mr. Béique.

Bill (No. 102) An Act to incorporate the Imperial Traction Company.—Hon. Mr. Béique.

A VACANCY IN THE SENATE.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the House do now adjourn.

Hon. Sir MACKENZIE BOWELL—Before the House adjourns, I should like to call attention to the fact that a vacancy in the Senate has yet to be filled. I notice in the press that three senators have been appointed recently, one to succeed the late Senator Forget, one to succeed Senator Roy, and a third to fill the vacancy in the representation of Prince Edward Island, caused by the death of Senator Ferguson. Might I ask why the vacancy created by the death of the late Senator Baker has not been filled? Two of the vacancies which have recently been filled have been of but short duration; the vacancy in Prince Edward Island has existed for a year or two, while the vacancy caused by the death of Senator Baker has existed for a longer time than any of them. Are applicants so numerous that the government are unable to make the selection, or is the vacancy held open for some other purpose?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the time is a little long—not so long as my hon. friend speaks of---but, I presume, as in certain other cases, the government have found difficulty in obtaining a sufficient number of applicants.

The motion was agreed to, and the Senate adjourned until Tuesday, at three o'clock.

THE SENATE.

TUESDAY, May 9, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

FIRST READING.

Bill (B-3) An Act for the relief of George Mackay Sutherland.—Hon. Mr. Young.

GRAIN BILL.

THIRD READING.

Rt. Hon. Sir RICHARD CARTWRIGHT —Hon. gentlemen will remember that in Bill (Q), the Grain Bill that was read a third time on Friday last, there were certain clauses with which we could not deal, being money clauses affecting the salaries of the commission, and one or two others of the same sort. Those apparently should not be in the Bill when we send it down to the Commons, or, at least, some words should be attached to show that we do not assume the power of dealing with money clauses. The procedure, I believe, in the House of Lords, is something as follows: they attach to the Bill a clause similar to one I have here prepared, in which they disclaim any intention of dealing with money clauses. As we do not desire to have any collision on so fine a question with the Lower House, I move, with the permission of the House, that the proceedings on the 5th instant, with regard to Bill (Q) entitled' An Act respecting Grain' be now read for the purpose of reconsideration.

Hon. Sir RICHARD SCOTT—It is the first time this practice has been introduced. The practice has been to have these clauses bracketed.

Hon. Mr. LOUGHEED—The Senate did not pay any attention to the brackets.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not remember a case of this kind having occurred in my time in the Senate. As a rule, anything in the way of a charge has been relegated to the House of Commons. But the Clerk has called my attention to the fact, and apparently the procedure would require to be as I have suggested. The Clerk informs me that these clauses were all passed in committee. I do not remember passing them and we had no business to pass them.

Hon. Mr. LOUGHEED—This Bill has been read a third time I understand Has it gone to the House of Commons?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, it has not been sent there for that very reason.

Hon. Mr. LOUGHEED—We still have control over it?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, and it is well not to have any dispute on that matter, I think we had better follow the example of the House of Lords, which I am told is what we are now proposing.

Hon. Mr. POWER—My remembrance of what took place is that the right hon. gentleman himself called attention to the fact that there were certain clauses which were printed and bracketed and which we had no right to pass. If these clauses were put by the chairman of the committee, they were adopted by inadvertence. It was not the intention to adopt them.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, that is quite clear. But they have been marked as being passed, apparently.

The motion was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Clerk will now read the Minute of Proceeding on Friday last.

The Minute of Proceeding having been read by the Clerk.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the proceedings be rescinded.

The motion was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT —I move that the Bill be not now read the third time, but that it be amended by striking out the money clauses.

The motion was agreed to.

Hon. Mr. POWER—I was going to suggest that the right hon. leader omitted to mention one clause which it would be well to repeal, namely clause 123.

Rt. Hon. Sir RICHARD CARTWRIGHT —We have had enough of clause 123 to last us for this session at any rate.

The motion was agreed to.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the Bill be now read the third time.

The motion was agreed to, and the Bill was read a third time and passed.

DELAYED RETURNS.

Hon. Mr. LOUGHEED—Before the orders of the day are called, may I ask the right hon. leader of the House whether he has been able to learn anything with regard to the papers I called for some months ago?

Rt. Hon. Sir RICHARD CARTWRIGHT —I made inquiry and was informed by the Secretary of State that for some reason or other the order had not been forwarded from the Senate to his department.

Hon. Mr. LOUGHEED—Will my hon. friend be good enough to have the order transmitted now?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have already done so.

THIRD READINGS.

Bill (No. 93) An Act to incorporate the Alberta Electric Railway Company—Hon. Mr. Béique.

Bill (No. 179) An Act respecting the Songhees Indian Reserve.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 104) An Act to amend the Post Office Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 132) An Act to correct certain clerical errors in the French version of the Inland Revenue Act.—Rt. Hon. Sir Richard Cartwright.

SECOND READING.

Bill (A-3) An Act for the relief of William Francis Currie.—Hon. Mr. Baird.

Hon. Mr. POWER.

INSPECTION AND SALE OF SEEDS ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 157) An Act respecting the Inspection and Sale of Seeds.

He said: I may observe that this Bill has been reprinted for convenience. It is thought more expedient to reprint the whole Act and introduce the new clauses. The chief object of the Bill is to grade and fix the standards of various seeds which are chiefly in use, particularly grass and clover seeds. The Bill, of course, is somewhat minute in detail. The particular points in it are that the farmer is exempted from labelling seed that is grown and sold by himself. Also, that in addition to the weeds named in clauses 5 and 6 in the old Act, the Governor in Council is empowered to name others so as to deal with cases if noxious weeds appear unexpectedly in the country. The object of clauses 7 and 8 is to provide for uniform grading and to define a certain standard or quality for grass and clover seeds and other seeds of a similar character. Provision is made for the testing of seeds for farmers or merchants free at the Ottawa laboratory. Clause 10 A is new. It was introduced by the committee on agriculture so as to protect users of garden, vegetable and flower seeds against buying old seeds that have been retained for a long time on the shelves of seed merchants.

The motion was agreed to, and the Bill was read the second time.

WATER CARRIAGE OF GOODS ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (X-2) An Act to amend the Water Carriage of Goods Act, as regards the delivery of wood.

(In the Committee.)

Hon. Mr. DOMVILLE—I move that subsection A of clause 2, be amended by adding, after the words 'Live animals,' the

following: 'or lumber, deals and other articles usually described as wooden goods.'

Hon. Mr. LOUGHEED—What does my hon. friend from North York say to this? Does it not have the effect of destroying the object he had in view in having the legislation passed?

Hon. Mr. CAMPBELL—The Act was originally introduced by myself; but in the House of Commons it was amended to apply to the shipping of lumber, deals and boards. I am told that it has worked badly—that shipowners are not responsible for shortages in the delivery of goods. It is a matter which does not affect me, but it does affect the people of the maritime provinces who deal in lumber. It does not affect the principle of the original Bill.

Hon. Mr. POWER—The only question is as to the method of procedure. As I understand, the Senate Bill which is before us covers the whole ground. This Bill says that section 10 of the Water Carriage of Goods Act, chapter 61, of the Statutes of 1910, is hereby repealed. I understand there is another Bill having the same object now before the House of Commons and I do not quite make out what my hon. friend from Rothesay (Hon. Mr. Domville) is doing.

Hon. Mr. LOUGHEED—It is probably a race between the two Bills.

Hon. Mr. POWER—I think if we pass our own Bill and it goes down to the Commons they will probably accept it.

Hon. Mr. DOMVILLE—First of all, the idea is to repeal clause 10, then to amend section 2. The reason why it is done now is that it will save time. If this Bill goes down to the Commons amended they will accept it to-morrow, and the law will come into force shortly.

Hon. Mr. POWER—I think the amendment is all right.

Hon. Mr. DOMVILLE—The amendment is, after the word 'animals' add the words 'lumber, deals and other articles usually described as wood goods.'

Hon. Sir RICHARD SCOTT—The point is that in the original Bill the deals and lumber were specified as to the quantity and number of feet; they have repealed that provision and made the Act apply to the number of pieces, wholly irrespective of whether they are long or short. A piece of lumber containing five feet could be substituted for a piece containing 200 feet.

Hon. Mr. DOMVILLE—I move that section 10 be struck out.

Hon. Mr. POWER—I think the better way would be, if the committee will pardon me, to make the first section of the new Bill, 'Section 2 of the Water Carriage of Goods Act is amended by adding the following words to paragraph A.' Then take in the words the hon. gentleman from Rothesay has just given us. Then strike out the present section 1, and insert as section 2 the following:

'Section 10 of the said Act is repealed.'

Hon. Mr. DOMVILLE—That will do very well.

The amendment was adopted.

Hon. Mr. MACKAY (Truro) from the committee. reported the Bill with amendments, which were concurred in.

ALBERTA RAILWAY AND IRRIGATION COMPANY BILL.

AMENDMENT CONCURRED IN.

Hon. Mr. POWER moved concurrence in the amendment made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (No. 51) An Act respecting the Alberta Railway and Irrigation Company.

He said: In the absence of the chairman of the committee, I take the liberty to explain very briefly the amendment. It was found that, as the Bill was worded originally, the company would have been compelled to build their railway by a line which would involve very steep and difficult grades, and the committee made an amendment in the Bill to authorize the company to make such a change in the line of the road as would avoid the difficult grade, while at the same time they keep

near enough to the town of Cardstone to satisfy the people of that neighbourhood. The amendment was acepted by the promoters of the Bill, and there was no difference of opinion with respect to it in the committee.

The motion was agreed to, and the amendment was concurred in.

NEW SENATOR.

Hon. BENJAMIN C. PROWSE. of the province of Prince Edward Island, was introduced, and took his seat.

BILLS INTRODUCED.

Bill (No. 48) An Act to amend the Montreal Harbour Commissioners Act, 1894.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 156) An Act to amend the Department of Railways and Canals Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 185) An Act to amend the Fisheries Act.—Rt. Hon. Sir Richard Cartwright.

LEASE OF RAILWAYS IN NEW BRUNSWICK BILL.

A message was received from the House of Commons with Bill (No. 150) An Act to authorize the government of Canada to acquire by lease a certain line of railway in the province of New Brunswick.

The Bill was read the first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the Bill be read the second time on Thursday next.

Hon. Sir MACKENZIE BOWELL—Can the hon. gentleman inform us what railway it is proposed to acquire?

Rt. Hon. Sir RICHARD CARTWRIGHT—It is a Bill, as I understand, for the leasing of a certain line of railway extending from Grand Falls on the line of the National Transcontinental railway to the city of St. John. I shall be able to give full information on the second reading.

The motion was agreed to.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, May 10, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

NEW SENATOR.

Joseph Marcellin Wilson, of the District of Sorel, province of Quebec, was introduced and took his seat.

DISAPPEARANCE OF BUOYS FROM SOREL SHIPYARDS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the buoys which have so mysteriously disappeared from the Sorel shipyards been recovered, wholly or in part?
2. How many have disappeared?
3. How many have been recovered?
4. Have the persons who stole them reimbursed the government the cost of the same and is the government satisfied with the settlement?

Rt. Hon. Sir RICHARD CARTWRIGHT—The answers to the hon. gentleman's questions furnished to me by the department are:

1, 2, 3 and 4. The buoys that have disappeared from Sorel were wood spars that had been in use for several years, had become waterlogged, and consequently unfit for use. The department has been for some time engaged in an effort to ascertain the number of such buoys that have disappeared, and the names of the persons responsible for such disappearance.

Hon. Mr. LANDRY—They did not find any yet?

Rt. Hon. Sir RICHARD CARTWRIGHT—No.

Hon. Mr. DERBYSHIRE—Not yet; they expect to get them. They are looking for them.

Rt. Hon. Sir RICHARD CARTWRIGHT—They are looking for them.

PRIVATE TELEPHONE FOR SOSTHENE MORISETTE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. On whose request did the department grant authority to place a telephone in the private residence of Sosthene Morisette, an employee of the immigration office at Quebec?
2. Has a similar request been made on behalf of Mr. Stafford, another employee of the immigration office at Quebec.
3. Was the request granted?
4. If it was not granted in Mr. Stafford's case, why was it granted in Mr. Morisette's case?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. On the request of the agent, Dr. Lavoie.
2. Mr. Stafford made personal request for a telephone five years ago.
3. No.
4. It was considered necessary in the public interest to comply with the agent's request.

EXPERIMENTAL FARM AT STE. ANNE DE LA POCATIERE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the government taken possession of the farm purchased by it at Ste. Anne de la Pocatière for experimental farm purposes?
2. From what date?
3. Who has been appointed director or manager of the said farm?
4. When was such appointment made?
5. What is the amount of the salary attached to the position?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. Yes. About the 1st of May, 1911.
2. Answered by No. 1.
3. The appointment has not yet been made. Mr. George Hudon, of Ste. Anne de la Pocatière, Que., has been engaged to look after the property until the appointment is made.
4. Answered by No. 3.
5. This has not yet been fixed.

MONEY PAID TO NOTARY DELAGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was the amount paid to Mr. Delage, notary, of Quebec, for his professional services in connection with the sale to the government of the Stadacona farm, by the estate of Chrysostome Langelier?
2. When was such payment made?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. $110.
2. 18th March, 1911.

CONSTRUCTION OF CANADIAN WARSHIPS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Have the tenders for the construction of the Canadian Navy warships been opened and examined?
2. What was the number of the same?
3. What are the names of the tenders and the amount of their tenders?
4. To whom was the contract awarded and for what amount?
5. Has the government fixed, in this country, the locality or localities where these vessels are to be built?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1, 2, 3 and 4. The tenders for the construction of the ships of the Canadian navy have been opened and are being examined.

It is not considered advisable at the present time to publish the names of the tenderers, or the amounts of the tenders.

CARRIER-LAINE PROPERTY— REPAIRS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How much have the repairs made to the Carrier, Lainé & Company property cost up to this date, since the government became the proprietor thereof?
2. What did they consist of?
3. By whom were they made?
4. Who has the benefit of them?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

Considerable repairs have been put upon the Carrier-Laine property by the Canadian Shoe Machinery Company since the property has been leased to them, but what allowance will be made the company, in connection therewith, for lessor's repairs, has not yet been definitely settled, but is at present in process of adjustment.

CARRIER-LAINE PROPERTY—RENTALS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. How much does the government receive annually for the rental of the property coming from the firm of Carrier-Lainé and acquired from the Bank of Montreal?
2. By whom is this rental paid?
3. How much has the government, in fact, received since it has rented this property?
4. What is the date of each payment?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The Canadian Shoe Machinery Company pay $4,000 per annum for ten years, and $6,000 for twenty years. Other rentals $740 per annum.

2. By the Canadian Shoe Machinery Company, the Quebec and Lévis Ferry Company, and S. Paradis

3 and 4. $1,572.50, in cash, has been received from the Quebec and Lévis Ferry Company, and S. Paradis, and under clause 10 of their lease, the Canadian Shoe Machinery Company have made lessor's repairs exceeding amount of rental owing by them.

THIRD READINGS.

Bill (A-3) An Act for the relief of William Francis Currie.—Hon. Mr. Baird.

Bill (X-2) An Act to amend the Water Carriage of Goods Act as regards the delivery of wood.— Hon. Mr. Domville.

Bill (51) An Act respecting the Alberta Railway and Irrigation Company.—Hon. Mr De Veber.

THE HAMILTON DIVORCE BILL REJECTED.

The Order of the Day being called:

Resuming the adjourned debate on the consideration of the tweny-first report of the Standing Committee on Divorce, to whom was referred the petition of Andrew Lorne Hamilton, together with the evidence taken before the said committee.—Hon. Mr. Choquette.

The SPEAKER ordered that the doors of the Senate be closed.

(From Minutes of Proceedings.)

The honourable Mr. Kirchhoffer moved, seconded by the honourable Mr. Lougheed.

That the said Report be adopted.

The question of concurrence being put thereon the same was on the following division:

Yeas 9. Nays 27.

Resolved in the negative.

PROMOTION OF SENATE OFFICIALS.

MOTION.

The doors being again opeued:

Hon. Mr. THOMPSON, moved the adoption of the second report of the Standing Committee of the Internal Economy and Contingent Accounts of the Senate. He said: The report simply refers to the promotion of two members of the Senate staff. The first recommendation is that the assistant postmaster of the Senate, Mr. T. B. Weston, be placed under the third division of subdivision A of the civil service classification and that his title be assistant postmaster. The salary attached to the position now is $800. While the salary attached to the position corresponding with this held by an official in the House of Commons under the civil service classification is as recommended by the report, in the House of Commons post office there are three officials. The postmaster receives a salary up to $2,800; the assistant postmaster receives $800 to $1,600, and the second assistant a salary from $900 to $1,200. We have in Mr. Weston an official in the same position as the assistant postmaster, and our recommendation places him in the class I have mentioned, that is third division of subdivision A, which would entitle him to a salary of $900 to $1,200. Those two post office officials of the Senate would stand in a position similar to the assistant and second assistant postmasters of the Commons. The second recommendation of the committee is that Mr. J. De St. Denis Lemoine, sergeant-at-arms, be promoted from second division subdivision A, to first division, subdivision B of the civil service classification. This promotion, if approved of by the Senate, would give the sergeant at arms a salary of $2,100 to $2,800. In comparison with the salaries paid for officials in the House of Commons, these salaries are low. These recommendations are made after due consideration. It was intimated to me that the committee

in taking the responsibility of making these recommendations were acting in an irregular way and that they ought to have gone through another form; but the committee felt that they were entirely within their rights, as constituted by the Senate, in exercising the power to make these recommendations. Our attention has been called to the change made by the passing of the Civil Service Amendment Act of 1908, and it was stated that the privileges previously enjoyed by the Senate and its standing committees had in a sense been impaired or annulled or repealed. We were unable to appreciate that view of the situation so long as the Senate thought proper to establish among their standing committees the Committee on Internal Economy and Contingent Accounts.

We felt that it would be an encroachment on the rights of the Senate and that committee to say that the Civil Service Act had repealed the functions of that committee in respect of matters which it was their duty to deal with. Bourinot, third edition, at page 270, refers to the Internal Economy and Contingent Accounts Committee in the following manner:

> Whenever it is necessary to appoint any officer, clerk or messenger, the subject is referred to the committee on Internal Economy and Contingent Accounts, who report as to the necessity of such office and the salary that ought to be given. All appointments and salaries, except the appointment of Crown officers, as well as promotion and recommendations for superannuation or a leave of absence, are practically regulated by this committee; in fact, it supervises all the ordinary expenses of the Senate apart from the members indemnity and other expenditures authorized by the statute. Its members have always jealously resented all attempts to interfere with the control of matters which it is the practice to refer to them.

There was no disposition on the part of the committee to interfere with or reflect unfairly upon the Speaker, or Clerk of the Senate in respect of the rights conferred upon them under the Civil Service Act, and I am of the opinion that in the exercise of our power we did not reflect on the Speaker nor did we depart from the procedure laid down in the Civil Service Act, because we felt, and do feel, that until the powers of that committee are rescinded by the Senate as an independent branch of the parliament of Canada, the powers hitherto exercised by that committee shall obtain. In that respect, by comparison of the two branches of parliament the Senate is in a different position. The contingent committee of the Senate is entirely an appointment of the Senate itself, and in respect of expenditures of money, in connection with its domestic or internal affairs under the constitution cannot be interferred with. The Internal Economy and Contingent Accounts Committee, at the time of the creation of the Senate, was made a special committee for the purpose of dealing with these questions and this power has in no sense been rescinded by the Act referred to. In the House of Commons, it will be remembered no such constituted committee has control of their finances. It has been said, 'But they control the money, and if we do appropriate or by resolution ask a certain amount of supply, the House of Commons can refuse to give it to us.' I appreciate their power to refuse to grant supply to the Senate if they were so disposed; but I am free to say—and I make this statement with proper regard to the fact—that they could not have any money to give unless by the consent of the Senate. The position of the Senate in relation to the other branch of parliament is clearly that of an independent branch and in that sense exercises powers in respect of the government and management of their affairs different entirely from the House of Commons. The House of Commons appoints no such committee to handle their financial questions. The government appoint the Internal Economy Commission, which acts in place of our Internal Economy Committee which practically makes that branch of parliament responsible to the government and in that commission the appointment included the Speaker, the clerk and the sergeant at arms, this making the Speaker practically head of a department. In the Senate, the internal economy committee is of an entirely different character. No member or official of the government, or the Finance Department, has a right to dictate to the Senate in respect to what they may do in regard to matters entirely of domestic or internal affairs. I desire to say further

that there was no reflection on the Speaker, under the Civil Service Act. Under section 2 of the Civil Service Act, the deputy head, in addition to the officers mentioned in paragraph 2, included the clerks of both houses and the librarians of parliament. Then (c) includes the heads of departments in addition to the officer mentioned in paragraph 2 and includes the Speakers of both Houses.

In so far as that can apply to the Senate in its operation we have found it unworkable. We have also had to refer to the Minister of Justice at times to get opinions.

We know that when parliament attempted to operate under this Act, both Houses had some difficulty in carrying out what were the purposes and desires of either branch; but my view of it is that the Senate is entirely a different order of institution from the other branch of parliament. This Act speaks of what the inside service shall be, and may be suited to the departments of government, having been made purposely to fit into the machinery that belongs to them under the Act. The Governor in Council are as heads of departments deal with all questions of departmental character in that way by conference of the heads of the departments. The Senate is entirely different. We are not composed of heads of departments. The Speaker has no department under his control. I cannot imagine that there is a department such as this Act intended to refer to, which could belong to the Speaker of the Senate to govern So far as the staff of the Senate are concerned, they are for the purpose of carrying out the actual work that comes to the individual senator in respect of committee work, and we are more familiar with what they do in the discharge of their duties and with regard to whether it would be proper to increase salaries or to make promotions than it would be possible for any Speaker to know. Section 24 of this Act was brought to my attention, and reads as follows:

24. Promotion, other than from the third to the second division, shall be made for merit by the Governor in Council upon the recommendation of the head of the department, based on the report in writing of the deputy head and accompanied by a certificate of qualification by the commission to be given with or without examination, as is determined by the regulations of the commission.

There is no question in my mind—and I think it is merely necessary to make the statement to have it accepted—that this Act refers to departments of government such as we have now, and clearly does not refer to conditions in this branch of parliament. Section 45 of the Act reads as follows:

45. Wherever under sections, 5, 8, 10 (paragraph b of subsection 1), 21, 22, 23, 24, 26 (subsection 2), 32, 33, 36 and 37 (subsection 4), of this Act or under the Civil Service Act, any action is authorized or directed to be taken by the Governor in Council or by order in council, such action, with respect to the officers, clerks and employees of the House of Commons or the Senate, shall be taken by the House of Commons or the, Senate, as the case may be, by resolution, and with respect to the officers, clerks and employees of the library of parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of parliament, by the Governor in Council, subject to ratification by the two Houses at the next ensuing session.

It does not say that they shall follow out the prescribed rules or regulations governing the department in respect of that; at least it is open to the view that the committee that had been appointed for that purpose by the Senate, who have these questions in charge since the creation of the Senate, would be the proper tribunal to introduce a resolution upon the subject matter referred to in this question.

The SPEAKER—I take the liberty of asking, how would the action be taken if it were from a departmental head? Would it not be by order in council?

Hon. Mr. LANDRY—Is that a question of order?

Hon. Mr. THOMPSON—The individuals in a department are certainly under control of the head of the department, doing work for that individual head, for which the head stands responsible as a member of the government. That certainly does not apply in our case. The Speaker is not charged with the administration, or with matters concerning the officials of the Senate in respect of the discharge of their duty;

but in the case of a department there can be no other possible way in which it can be brought to the council, except when these heads of the departments meet together for the purpose of considering matters of this nature. The heads of the departments would bring this matter before the Governor in Council. We are in the position of the Governor in Council, and not the heads of the departments, to deal with questions brought to us individually and collectively by the members of the Senate. Under section 45 by resolution of the House these questions are to be determined. It could not be so in the case of a department, because the head of the department would have to deal with it as provided in a section of the Act. But while the decision is made by the Governor in Council in respect of departmental government in the case of the Senate and House of Commons, it is made by a resolution. So long as the Senate consider it proper to contiuue the Committee on Internal Economy, and until they suspend that committee they have imposed upon them the duties that I have named. They are mentioned in Bourinot. While we have that committee they have that right to come to the Senate, even under the Civil Service Act, and present their report asking its commendation or acceptance if they are disposed to give it, and I claim further, without any disposition whatever to reflect upon the appointments made under this Act, that the action of the committee is defensible, and I have been advised that in respect of the report made by the committee it will require amendments to carry with it the salary proposed. So long as this committee is continued as part of its machinery, the Senate should protect the committee and prevent encroachments on its rights, privileges and powers. Whether we report to the Senate in accordance with the provisions of the Civil Service Act or not, I think it proper to submit that report. I desire to add an amendment, that the salary shall be as provided in the Civil Service Act of 1908, and to date from April 1. I understand that if the Senate should adopt the recommendation of the committee, the report should be amended to that extent before a salary could be paid, and with the consent of the Senate I desire to amend the report as I have indicated.

Hon. Mr. DANDURAND—I am a member of the committee, but had the misfortune of not being present at its last meeting. I should like to express my opinion on this report, inasmuch as I differ in toto from the conclusions at which the committee arrived. The hon. gentleman has prefaced his recommendation by dilating on the appointment of that committee, claiming that it has jurisdiction in the matter, and the fact that it has continued in existence and that no action has been taken by the Senate to modify the jurisdiction of the committee. This Chamber has very clearly expressed its opinion as to functions which this committee should no longer exercise when it gave its assent to the Civil Service Act which came to us from the other Chamber. We are bound by that legislation, which has completely altered the powers of the Senate in dealing with the appointment and promotion of its employees. As I understand the Civil Service Act, which we made law, and which binds this Chamber as well as the House of Commons, we agreed that the clerk of the Senate should have the powers of a deputy of a department, and that this Chamber should have the powers of the Governor in Council when acting upon the recommendations of a deputy head and a head of a department. Now, if that is the view which the majority of this Chamber hold, I believe that the report of the committee is absolutely out of order. My hon. friend has read section 24 of the Civil Service Act. If we have accepted this law, it means that henceforth there shall be no more promotions in this Chamber unless recommended by the clerk, who acts as deputy head, and the Speaker, who acts as head. I have differed with some hon. gentlemen as to the manner in which we should deal with such reports when they come before us from the hands of the Speaker. Some have held that the House could refer such a report to a committee of the Chamber; that the Senate acting under the law as a substitute for the Governor in Council, must deal with it direct-

ly. I have held that we could dispose of those reports as we please—send them to one of our committees for examination and report, and that while we did so we would still remain in possession of the report and with full authority to deal with such report as may be made upon it by any of our committees. So far, we have not been so fortunate in dealing with this Act that we should again tread on dangerous ground and experiment in the way proposed by the committee. If my view of the matter is shared by the majority of this Chamber, I shall ask that this report be not now adopted, because I hold that the committee can make no such recommendation, but that it can act upon any matter sent to it by the Senate. It cannot of its own authority suggest or recommend that any appointment or promotion be made until the Senate has deemed fit to seize that committee with the question.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is quite clear that this is a somewhat tangled question. The Senate, on both sides, will agree with me I think that it is highly undesirable we should again engage in a controversy in which we might find the law of the case against us, and I make the suggestion partly with a view to promote the business, but chiefly with a view that we may be advised on this subject, that the matter be referred to the Department of Justice through the medium of our Law Clerk, for the purpose of obtaining a written opinion as to the exact status which we occupy in this matter, and how far the Civil Service Act has interfered with our former practice. I hope that I shall always be found maintaining the dignity of this Chamber to the best of my ability. I have an earnest desire that it should in no respect be deprived of any privilege that properly belongs to it; but I have an equally earnest desire that we shall not appear to be setting ourselves deliberately against the statute law of the land which we ourselves have passed. I think it desirable that we should get the highest opinion available as to the somewhat complicated questions which appear from the statements of my hon. friends to exist with respect to this matter. I would suggest therefore that steps be taken to obtain the opinion of the law officer of the Crown on the subject.

Hon. Mr. LANDRY—I do not agree with the suggestion made by the right hon. leader of the House. That suggestion is made to prevent us studying the law. It is giving to another party the right to interpret the law for us. But that does not decide the question. I do not care for the opinion of the Minister of Justice on the subject. We passed the law and should know what we have done without asking the Minister of Justice to tell us what was in our minds when we were doing it. The law is there and we should abide by it. It is perfectly clear. If there was any difficulty in understanding the law we might properly go to the Minister of Justice for an interpretation, but he would be in the same position as we are ourselves—he would have to study the law. I have made a study of the law and reached my own conclusion. My hon. friend cites Bourinot, but that is aside from the question. His speech comes four years too late. If he had made that speech when the Civil Service Act Amendment Bill was before us, we might not have passed it into law. Bourinot's last edition was printed in 1903, and his opinion was given five years before, when there was such a law in existence. We have since then passed the law, and what did we decide? We decided that a proper classification should be made, and that classification is not under the supervision of the Committee on Internal Economy. It is made under the provisions of the law. The classification divides the civil service into two grand sections, the internal and the external service. The internal service is divided into three divisions, each of which is subdivided into A and B subdivisions. So there are six classes provided for in the Civil Service Act, and the law says that in each class such and such person shall be placed. What did we do when we proceeded to the classification of our employees? We did not place in their proper classes those who should have been properly classified. We set aside the law and proceeded to a section of the Act which deals with exceptional cases, cases for which no provi-

sion is made. That section of the Act only comes in when a person that we want to place cannot be included in any existing classification. Now, why are we asked to put our assistant postmaster in the same class that the assistant postmaster in the House of Commons occupies? Why not do the same with the postmaster?

Hon. Mr. THOMPSON—I am not asking to put him in the position of the first assistant; I am asking to put him on the same salary as the second assistant postmaster of the House of Commons.

Hon. Mr. LANDRY—Why? The law is the same for the two Houses. If in the House of Commons they interpret the law so as to give to the postmaster the place which the law assigns him in the division of classes, why should we interpret the law in a different way here? The classification by the salary only comes in when we cannot place the man according to the law. The hon. gentleman invokes section 24, which provides that promotions other than from third to second divisions shall be made for merit, on the recommendation of the head of the department, based on a report of the deputy head. That is for promotion, but I suppose we are not trying to promote in this case, but merely trying to rectify an error.

Hon. Mr. THOMPSON—I beg the hon. gentleman's pardon, it is a promotion.

Hon. Mr. LANDRY—How can the committee invoke the promotion clause in moving the sergeant-at-arms from one class to another? Where will the hon. gentleman find the basis for such promotion? The law says that officers shall be placed in such and such classes. A bad classification was made at the outset, and the committee are now trying to rectify the error committed then, by taking an officer from one class and putting him into another. That is a violation of the law. The hon. gentleman has not followed the provision of the law as set forth in section 24. Section 45 says nothing, except that wherever under certain sections any action is authorized or directed to be taken by the Governor in Council or by order in council, such action with respect to the officers, clerks and employees of the House of Commons and Senate shall be taken by the House of Commons, or the Senate, as the case may be, by resolution.

Hon. Mr. THOMPSON—It does not say as prescribed in the Act, but by resolution.

Hon. Mr. LANDRY—Moved by whom?

Hon. Mr. THOMPSON—I am satisfied that a resolution moved by any member, by the hon. gentleman himself, would effect it.

Hon. Mr. LANDRY—By whom is the resolution passed—by the Governor in Council?

Hon. Mr. THOMPSON—It says by the Senate. It says when a resolution reaches the Senate the Senate shall take action.

Hon. Mr. LANDRY—Section 45 does not mean what the hon. gentleman says. It means that in cases where section 24 comes in, when we speak of the Governor in Council, it means the House of Commons or the Senate. It does not say that it shall be by an order in council, but that the resolution shall have the effect of an order in council, so when this House adopts the resolution, it is equivalent to an order in council under the provisions of section 45. Now, there is another section which my hon. friend did not read, section 8, which provides that as soon as practicable after the Act comes into force, the head of each department shall cause the organization of his department to be determined and defined by order in council, due regard being had to the status of each officer or clerk, as the case may be. The order in council shall give the names of the several branches of the department, etc. That is for the purpose of showing that a man has been put in the proper class. But the clause to which I wish to call special attention is the following:

> After being so determined and defined, the organization of the department shall not be changed except by order in council.

What does that mean? It means that the organization and classification made by the House shall not be changed except

by the House itself—except by order in council. This clause also comes under the operation of section 45, so the classification and organization made by this House continue unless it is changed by the House itself, and this House has a right to-day to take up its classification made two years ago and remodel it and say we will act according to the law and put in their divisions each of our officers who have not heretofore been put in their proper positions. I approve of the report in so far as it gives to Mr. Weston and Mr. LeMoine the places they are entitled to have; but I say it is not done in the way it should have been done. If it is a promotion, section 24 has not been complied with. If it is a change, it ought to be made by this House itself in the proper way and for this reason I hope that this report, which places one man in one place and another in another place in order to correct errors of the past will not be adopted because it is not doing complete justice. I do not know why this report should be referred back to the committee. If the House has a right to take action, it should do so by resolution of the House. Then, if the House decides afterwards to send the matter to the committee, it can do so. For these reasons, while I accept the view that justice should be done if only to two individuals, I shall vote against the report because it is not doing justice to the old servants of this House, and the Senate should take the matter in hand itself and make a proper classification according to law, and not according to the salaries which may have been granted in the past.

Hon. Mr. POWER—I concur with the hon. gentleman from Stadacona in thinking that the recommendations of the committee are good recommendations. With respect to the proper course to follow, I must say that, on the whole, I am disposed to agree with the hon. gentleman from De-Lorimier. A strong argument might be put up to justify the report which has been made, under section 8 of the Civil Service Act; but we have come in collision with the Civil Service Act already, and, as a rule, we have fared rather badly. On the whole, it would be wiser, perhaps, to take the course suggested by the hon. gentleman from De Lorimier. The right hon. leader of the House has suggested that we should take the opinion of the Minister of Justice on the question. The Minister of Justice has been appealed to in recent years on two occasions, and the minister stated, and stated very properly, that he was not the legal adviser of the Senate. With all deference to the right hon. leader of the House, I think it would not, on the whole, be a judicious course to ask for the legal opinion of the Minister of Justice. If we follow the suggestion made by the hon. gentleman from De Lorimier, we shall be able to get ourselves out of the difficulty without coming into collision with the Minister of Justice. I just wish to make two observations on the statement of the hon. gentleman from Stadacona with respect to section 8 of the Civil Service Act. It is true that the correct interpretation of section 5 of the Civil Service Act would have put our Sergeant-at-Arms into subdivision B of the first division. I think, and I thought at the time, and I may say when the committee considered the classification, I urged that he should be put into that subdivision, because I think he was one of our executive and administrative officers. I agree with the hon. gentleman from Stadacona that far; but, unfortunately, our recommendations at that time were embodied in a statute, and I am not quite clear as to the best way of getting round the statute now. But with respect to the other officers, the assistant postmaster was not the only other officer who was concerned, and about whose salary we have had trouble. If hon. gentlemen will look at subsections 3 and 4 of section 5, they will see that the second division shall consist of certain other clerks having technical administrative or other duties, &c. One of the difficulties that met the committee of the Senate when they undertook to organize under the Civil Service Act, was that certain officers who were regarded as being something superior to messengers, were not clerks, and we felt at the time that we were not in a positioin to put them into this second division just because they were not clerks. It applies only to clerks. The same

way with the third division. That is a difficulty which will confront us in the future.

Hon. Mr. LANDRY—How did they overcome that difficulty in the House of Commons?

Hon. Mr. POWER—My honest opinion is that in the House of Commons they simply disregarded the Civil Service Act, and I am pleased to say that within the last few days they have agreed to close their eyes to our disregarding the Act also. So that while substantially I concur with the hon. gentleman from Fredericton (Hon. Mr. Thompson), the wiser course on the whole is the course indicated by the hon. gentleman from De Lorimier (Hon. Mr. Dandurand), His Honour the Speaker can, upon a recommendation coming from the clerk, make recommendations to the House, and the House can either deal directly with those recommendations or refer them to the committee for consideration. On the whole, the better way to dispose of this report is to let it lie on the table.

Hon. Mr. THOMPSON—How long?

Hon. Mr. POWER—It is there to be taken up whenever the House wishes to take it up.

Hon. Mr. DANDURAND—I would draw attention to a matter that is not very clear in my mind, but which I think deprives the committee of the power of making any such report of its own motion. The appointment of committees was made on a motion by the right hon. Minister of Trade and Commerce that the senators mentioned in the report of the Committee on Selection, be and are hereby appointed to constitute the several committees, &c., to inquire into and report on such matters as may be referred to them from time to time. I have considerable doubt as to the right of a standing committee to arrive at decisions and report to this House on matters which have not been referred to it.

Hon. Sir MACKENZIE BOWELL—It is no my intention to discuss the merits of the recommendation made by the committee. At present that is foreign to the subject. I am not opposed to the recommendations which have been made; on the contrary I shall vote for them willingly; but has the proper course been pursued in bringing this subject before the Senate? If I understand the law, the recommendations for promotion or appointment must be suggested by the Clerk, who occupies the position of deputy head, to the Speaker, who acts as a minister, and the Speaker who is acting as a minister in a like capacity of minister recommends it to the Senate, and it is for the Senate to accept or reject that report whatever it may be. That is the course laid down very clearly by clauses 21 and 24 and one or two others of the Civil Service Act. The speech of the chairman of the committee was an admirable one and would have had a good effect had it been delivered when we were considering the Civil Service Act by the passage of which we deprived ourselves of all the rights and privileges which Bourinot mentions when he speaks of the powers and prerogatives of the Senate in the case to which my hon. friend refers. Where the Senate made a mistake, to my mind, was in ever becoming a party to the Civil Service Act, because it deprived us of all the powers and privileges that we enjoyed, (and which are enjoyed by the House of Lords) prior to the passage of the Act. But we have only one course to go through now; either to act upon the suggestion of the hon. gentleman from Halifax or reject the motion. The suggestion made by the hon. leader of the House to refer the matter to the Minister of Justice, to my mind would be useless. This whole question was brought before the Auditor General, who took a certain view of the law. He referred it to the Treasury Board, and the Treasury Board, with the concurrence and advice of the Minister of Justice sustained the position that he had taken, and consequently condemned directly the course the Senate had taken. That is the position we are in, and if we referred it to the Minister of Justice again, he might take the position that he took a short time ago when he informed a committee of this House that he was not the adviser of the Senate; that the Minister of Justice was the adviser of the government and not of either branch of parliament. It seems strange that my hon. friend the chairman

of that committee, seems very sensitive as to the powers of that committee. The privileges they assert are those which they enjoyed prior to the passage of this unfortunate Civil Service Act. I fully concur in the remark he made that it is an Act difficult to understand and difficult to administer; but in this case there can be no mistake in the provisions of the law, and those provisions are precisely what have been pointed out by the hon. members from Delorimier (Mr. Dandurand) and Stadacona (Mr. Landry); that is if we are to accomplish what we think the Contingent Committee could accomplish, let the reports come from the Clerk to the Speaker, and the Speaker will refer them to the Senate, and I have no doubt the House will concur in the recommendations; but if the Senate think it advisable to refer a question to the Contingent Accounts Committee to ascertain their opinion, they have full power to adopt that course. The Contingent Accounts Committee have no right, under the law, to arrogate to themselves the power to make recommendations for promotion or appointment. The provisions of the Act seem to me to be so clear that any child who reads it can understand it; but he must not forget when he does read it that we have deprived ourselves of privileges which we enjoyed prior to the passage of the Act. If my hon. friend the leader of the government wants to get rid of the question, in order to shunt it over for the present, his suggestion would be a very good one; but I am quite satisfied if the suggestion is adopted the Minister of Justice will adopt the same course as he did before and leave us where we commenced.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would point out to my hon. friend opposite that it is not so easy to get out of the clutches of the Department of Justice on any of these questions, as perhaps he supposes, if we come into collision again with the Auditor General—and I had trouble enough with him and so had the hon. gentleman on the question of the interpretation of the Civil Service Act. My hon. friend knows right well that as the result of that it will come before the Treasury Board, and the Treasury Board, by law, have the right to demand the opinion of the Minister of Justice, and in the long result, therefore, he will have to give his opinion as to whether the procedure of the Senate has been in accordance with the law or not. I think he will find that will be the upshot of the matter. I am quite in accord with my hon. friend in thinking that the mode he suggested would be a very good one to deal with the question; but I take leave to differ a little from my hon. friends as to these questions of law. It has been my good fortune or ill-fortune to have had a considerable number of lawsuits as well as other people.

Hon. Sir MACKENZIE BOWELL—I have the advantage of my hon. friend. I never had any.

Rt. Hon. Sir RICHARD CARTWRIGHT—The hon. gentleman is a lucky man. How he ever kept out of them I do not know. But my experience of the legal fraternity is that, generally speaking, opinions can always be had to suit the client, or the client's purse, as the case may be.

Hon. Mr. CASGRAIN—Hear, hear.

Rt. Hon. Sir RICHARD CARTWRIGHT—And, as many lawyers, as you have you have as many opinions, and the same way with doctors. Although I was only a law student, and merely for a short time, I would undertake to offer half a dozen opinions myself, perhaps worthless opinions, or perhaps valuable, as the case may be. I make the suggestion for the sake of peace and good government, and to prevent the Senate getting into a snarl such as they did get into a year or two ago, and which has only been got rid of with very great difficulty. Otherwise I am in accord with my hon. friend's suggestion as to the method of getting rid of it.

Hon. Mr. LANDRY—The hon. gentleman will find a report made by the clerk of the House of Commons, which reads as follows:

After consultation with the Civil Service Commission and with the Deputy Minister of Justice, and with the approval of the members of the Board of Internal Economy of the House, I beg leave to recommend that the

organization of the House of Commons, as approved on the 10th May, 1909, be cancelled and that a new organization will in the form annexed hereto be adopted in lieu thereof.

So that if we take the classification laid down by the Civil Service Commissioners with the approval of the Minister of Justice, with the approval of the members of the Board on Internal Economy of the House, I am sure that it will pass, and that harmony and peace will reign amongst us.

Hon. Mr. POWER—Was that report of the House of Commons acted upon?

Hon. Mr. LANDRY—No, it was not adopted. It was a suggestion made to the House of Commons in the last days of the session. The hon. gentleman will not tell me that any member in the House attacked the report. They did not attack it. That report was presented to the House of Commons, and it contains the opinion of the Clerk of the House and of the Civil Service Commissioners and the deputy Minister of Justice and the approval of the Board of Internal Economy. I put it in that way. I did not say it was adopted by the House, but it contains their opinion as expressed on the 6th of April, 1910.

Hon. Mr. OWENS—When the present assistant postmaster was placed on the list before, it was as a messenger and assistant postmaster; consequently he merely occupied the position of a messenger. But he is no longer a messenger. He is now assistant postmaster, and, therefore, he was placed properly upon that list by the committee. If we are to be guided by the discussion here to-day, there is really no object in having an Internal Economy Committee. If that committee has not the power to make a report which will be accepted by the House, we may as well dissolve the committee.

Hon. Mr. LANDRY—Hear, hear.

Hon. Mr. OWENS—But I would certainly vote for this appointment as it comes before the House.

Hon. Mr. GIBSON—If the objection had been made before the committee, it would have saved all this trouble. How is a man to get promotion if it is left entirely in the hands of the Clerk and the Speaker?

Hon. Mr. THOMPSON—He is tied up.

Hon. Mr. OWENS—It goes by favour.

Hon. Mr. GIBSON—There may be a deserving class overlooked by the Clerk and Speaker and nobody can move because it is left in their hands. The recommendation must come directly from the Clerk, through the Speaker, to the Internal Economy Committee

Hon. Mr. LANDRY—No, to the Senate.

Hon. Mr. GIBSON—To the Senate, and they refer it to the Internal Economy Committee; but when it is referred to the House that is not referring to the committee. If the recommendation is not made, then the gentlemen in question, no matter how deserving they may be, or how long a service they have rendered to the Senate, may never get an increase of salary if it has to come from the Clerk and the Speaker. I think we are altogether too much afraid of the Auditor General. The Auditor General saw fit to pick out one or two senators and compare their time with the Order Paper. He could have saved himself a good deal of trouble by writing to the gentlemen in question and asking the number of days they were in attendance.

Hon. Mr. POWER—That is not before the House.

Hon. Mr. GIBSON—There is another matter with regard to the Contingent Committee, and that is in reference to the different things they were in the habit of getting from year to year. This was all brought out by the investigation into the irregularities at the Printing Bureau. So far as this committee and Senate are concerned no irregularities were committed by the Senate, but we are punished by having all such privileges withdrawn because of the irregularities at the Bureau. I venture to say that the Auditor General would have had his time fully employed, and the time of those under him, if he had watched the proceedings going on in the Printing Bureau; but, instead of doing

that, he directed his attention to irregularities in the Senate. If the recommendations of the Internal Economy Committee are not to be received in this House, what is the use of the committee at all? If everything is to be done by the Clerk and the Speaker—and I am not casting any reflections upon either of them—then dissolve the committee, and the whole question of the Internal Economy of this House will be in the hands of the Clerk and the Speaker for the time being. It is a farce to transmit work to the members of the committee, if when they present a report, the House takes a different view as to the powers of the committee. This question could have been discussed in the committee. If the same objections had been taken there we would not have made the recommendation, but now it places the chairman and the members of the committee in a false position. I dare not speak of what took place in committee, at all events the report was prepared by the committee and presented to the House, and now we are told that our proceeding was out of order. I was glad to hear the hon. gentleman say that the House of Commons adopted a roundabout method of overcoming the difficulty and I should like to see the Senate adopt a similar proceeding. We have deprived ourselves of our rights, and the sooner these rights are restored the better. Nothing is done by parliament which cannot be undone, and I think if this matter were seriously looked into and the senators took hold of it, and we took action upon the report we would have less trouble and none of these things would be sent back to us. My hon. friend suggests that I should move for the dissolution of the committee. What is the use of the committee if their recommendations are not carried out? The committee is appointed to make recommendations. I do not agree with the proposition that in all cases the recommendations of the committee should be adopted, but this is a case where the salaries of two gentlemen depend upon the recommendation of the committee and the recommendation of the Clerk and the Speaker, and they should not suffer as some men have suffered in the past. Because of piques and quarrels two or three men have been deprived of their salaries for a year. I think we should take this matter up in a serious way and deal justly with every man of our staff.

Hon. Sir MACKENZIE BOWELL—I desire to repudiate the statement made by the hon. gentleman that because any member dares to differ from the report of the committee, therefore we are insulting that committee. I take it for granted that every member of this Senate has as much right to his opinion as the chairman or any other member of the committee and a difference of opinion does not constitute an insult to the committee or a reflection on the action of the committee. I would suggest to my friend that if he desires to get rid of the difficulty, he had better introduce an amendment to the Civil Service Act and then he will accomplish his object.

Hon. Mr. GIBSON—I think the hon. gentleman misunderstood me entirely.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman used the word. I do not know what he meant.

Hon. Mr. THOMPSON—I do not think the Act intended to tie the hands of the Senate. I think section 45 of the Act to which I referred, instead of saying the Senate and the House of Commons shall be considered the Governor in Council, it left the right to the Senate and the House of Commons to exercise these powers under this Act simply by a resolution. If we care to introduce it by the Speaker and the Clerk to get it properly before us, then all right. But if it meant the Senate and the House of Commons were to be considered the same as the Governor in Council it should have been so stated in the Act, in the same way that makes the Speaker the head of a department. Here they have provided a way in which the House of Commons and the Senate can deal with their officers, namely by resolution. If we admit the doctrine laid down by the Auditor General we absolutely tie the hands of the Senate. If such matters are placed in the hands of the Clerk and the Speaker, the constitutional

powers of the Senate are altered. The Auditor General has never found fault with us in respect of an action of this nature. This would not be a question for the Auditor General. If the Senate, by resolution, should adopt the suggestion of the Committee on Internal Economy and Contingent Accounts you would have no trouble from the Auditor General. He would not ask us whether we kept step all the way coming up the stairs, or inquire as to the modus operaudi of our work. The Senate determines certain things and how we reach that conclusion is not important. Whether we walk around this side of the desk or the other side is not important. I have a different view, and I do not think any Act of parliament can tie the Senate up so completely as to prevent it exercising its constitutional powers. In my judgment it is entirely within our power. Section 45 opens the door and says to the Senate that while the departments have to go round all these subsections to reach an end, the Senate, by a resolution, does exactly what it was possible for the Governor in Council to do. I say there is no power on earth can control us, Auditor General or Governor General, to prevent us determining these questions if we want to do it.

Hon. Mr. LANDRY—We have done it.

Hon. Mr. THOMPSON—Parliament never does anything it cannot undo. I am satisfied the Auditor General would not find fault with the action of the Senate with regard to these promotions. I am not carried away with the desire to protect the rights and privileges of this committee. I am too democratic and radical; but I do feel that the older members of this Senate, the men who have lived under this constitution and who desire to protect the rights of the Senate, should contend that this Chamber has power in respect of these matters and has not sold its birthright for a mess of pottage. My judgment is that we have the power under this Act; that this Act has provided a way by which it is possible by resolution of the Senate to deal with this matter as fully as the head of a department.

Hon. Mr. DANDURAND—We passed a Civil Service Act, and what was the principle on which it was based if not to stop the irregular influences which brought about promotions or nominations, and to devise a means by which positions in the service would be filled by people who had passed examinations, and were appointed on certificate of capacity and merit, and who would subsequently be promoted according to their own behaviour, upon the judgment passed on their subsequent conduct by the chiefs of departments. This is the underlying principle of the whole Civil Service Act, and the Governor in council, vested with all the authority he has as an executive of parliament, could not of his own volition increase the salary of an employee of any department without the recommendation of the deputy head and the support and endorsation of the minister himself, and of the Civil Service Commission as well. This is the law to which we are bound as a Senate, rightly or wrongly—I will not say wrongly, because parliament cannot do wrong. We have passed the law; it is the law of the country, and the whole staff of the Senate stands as to its promotion in the same position as all the staffs and the officials of the different departments. It is upon the report of the deputy head to the head of our department that we must act when it is recommended and reported by His Honour the Speaker. I do not see anything extravagant in that statement. It is the law as we have adopted it. I will not say that I would vote to rescind that law. I have seen in this very chamber increases of salary which were not justified and yet which were voted. I have seen actions taken by committees of this House that were not justified, if they were examined in the light of the proper administration of this Act. It was true, I was in the minority. Perhaps I was wrong in the view I held at the time; but we had our eyes open when we passed that law, and we decided that what was good for the departments was good for the Senate, and I believe when there is a case to be especially examined, when the time comes for action on the part of the deputy head, he will do justice to the staff. I believe we have erred in our classification, and I would recom-

mend the Clerk of the Senate to examine it in the light of the discussion which has taken place to-day, and to make such recommendations as he deems just, not only as to the classification, but as to promotion. He has already done so to His Honour the Speaker, and on his recommendation we may act.

Hon. Sir RICHARD SCOTT—Is the hon. gentleman aware that the House of Commons defied the law? There's where the friction comes in.

Hon. Mr. DANDURAND—I will not stand in judgment on the action of the House of Commons.

Hon. Mr. POWER—The hon. gentleman from Lincoln (Mr. Gibson) made some observations which might be considered as being uncomplimentary; looking at the action I recommended here. I am a member of the Internal Economy Committee. I was present at the meeting where this matter was discussed, and I voted in favour of the report of the committee. I have come to the conclusion since, after hearing what has been said, and particularly what is said by the two hon. gentlemen from De Lorimier and Stadacona, that I made a mistake. I cannot concur with some of my hon. colleagues of the committee who think the House is bound to accept the report of the committee, and if the House does not accept that report then the members of the committee are insulted, and treated unconscionably.

Hon. Mr. THOMPSON—No.

Hon. Mr. POWER—As one member of the committee, I realize that the course we recommended is not the wisest course, and with the leave of the House I move that the report lie on the table.

Hon. Mr. THOMPSON—I do not want the members of the committee to imagine that because I happen to be a member of the committee and they differ from me in respect to a report which we made to this House that I feel hurt about it. It is not a question of that nature at all, and if hon. members cannot support the recommendations of the report, believing that it is not in the interests of the Senate, let them vote it down.

The House divided on the amendment on a standing vote.

The SPEAKER—I declare the amendment carried by a vote of 19 to 16.

Hon. Mr. WATSON—I think the Clerk made a mistake in counting the names. Two hon. members on this side of the House were counted in the yeas when they did not vote that way, and I think another vote should be taken.

The yeas and nays being called for, the House divided on the amendment which was adopted by the following division.

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INSPECTION AND SALE OF SEEDS ACT AMENDMENT BILL.

IN COMMITTEE OF THE WHOLE.

The House resolved itself into a Committee of the Whole on Bill (No. 157) an Act respecting the Inspection and Sale of Seeds.

(In the Committee.)

On clause 5.

5. Sections 6 and 7 of this Act shall not apply to the sale of seed that is grown, sold and delivered by any farmer on his own premises, for seeding by the purchaser himself, unless the purchaser of the said seed obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to him subject to the provisions of this Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —A good deal of objection was taken to the law as it stood and this is introduced to relieve the farmers in the cases particularized here.

Hon. Mr. LOUGHEED I am not prepared to pronounce with emphasis upon the principle involved in clause 5, but it seems to me to be unsound and inconsistent with the harmony of the Act. That is to say that the Act shall not apply to seed grain sold by one farmer to another on his own premises unless the seller obtains a certificate. The policy of the Act should be to maintain the purity of seed, and it seems to me the only way we can get that is to insist upon the principle of the Act being applied in every case. If seed is sold, no matter by whom grown, then that seed should be as pure and free from adulteration as if procured from a responsible seedsman. If you are going to exempt farmers, it is utterly impossible to carry out the principle of the Act. I am not prepared to pronounce myself such a judge of the question as to say it should be done.

Rt. Hon. Sir RICHARD CARTWRIGHT —I can only say that the department found it practically impossible to enforce the Act as it stood.

Hon. Mr. LOUGHEED—Under the old Act, that same license was allowed.

Rt. Hon. Sir RICHARD CARTWRIGHT —Under the old Act, the farmer was not allowed to deal as he pleased with seeds grown and delivered on his own premises to be used as seed by the purchaser himself.

Hon. Mr. LOUGHEED—The farmer should be as responsible, if not more responsible, as almost any other class of the community for purity of seed. When one drives along a country road and observes the amount of noxious weeds in a crop one cannot fail to see that the farmer is largely to blame for that condition of affairs. The policy of the Act is no doubt to protect the farmer.

Rt. Hon. Sir RICHARD CARTWRIGHT —The only reason I can give is that it has been found practically impossible to work this provision as regards the farmers.

Hon. Mr. LOUGHEED—That is tantamount to saying that the farmer wants this obligation thrown on the dealer in seeds, but he himself is unwilling to be brought under the obligations of the Act.

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman has the logic of the case on his side; the department I fear has the practical experience on its side. The law as it stands at present, I am told, is practically a dead letter, and can only lead to a number of vexations prosecutions.

Hon. Mr. YOUNG—Clause 5 confines its operation to a sale by a farmer who has really grown the seed himself, to another who is going to use it himself. The transaction would be as between two farmers. It is presumed by the department that the purchaser will see that the seed is pure. The only danger that arises is that the purchaser may be in occupation of a rented farm, having no interest in the land on which he is going to use the seed, and may not be so particular as to the purity of the seed; but it is impossible to provide by law that the seller can always make sure that the purchaser is going to use the seed on land that he owns himself.

Hon. Sir MACKENZIE BOWELL—Is not the purchaser protected to a certain extent under this clause?

Rt. Hon. Sir RICHARD CARTWRIGHT —The purchaser can protect himself if he likes.

The clause was adopted.

On clause 7, providing for the marking of packages of seeds,

Hon. Mr. WILSON—It strikes me that this clause embraces principles that will affect injuriously the right of one farmer to dispose of seed to another farmer. Among the farming community they claim the right of trafficking in seeds as between themselves without being subject to inspection. It may be necessary in the interest of agriculture to make the clauses stringent, but care should be taken to avoid working hardship on the farming community.

Rt. Hon. Sir RICHARD CARTWRIGHT —Clause 5 expressly exempts farmers from the operation of clauses 6 and 7.

Hon. Mr. WILSON—Clause 5 may protect the farmer to a certain extent, but will it give him absolute protection?

Rt. Hon. Sir RICHARD CARTWRIGHT —It will give him all the protection he ought to have.

Hon. Mr. WILSON—If it is held that it furnishes necessary protection I withdraw my objection, but I am afraid of the clause.

The clause was adopted.

On clause 8,

8. No person shall sell, or offer, expose or have in his possession for sale any seeds of timothy, alsike, red clover or alfalfa, in or from any receptacle, package, sack or bag, upon which is marked:

(a) 'Extra No. 1' unless such seeds are pure as to kind, clean, sound, plump, of good colour, free from the seeds of any noxious weeds, and contain not more than thirty seeds of other useless or harmful plants per ounce upon which is marked:

(b) 'No. 1' unless such seeds are clean, sound, reasonably plump, of good colour, contain not more than five noxious weed seeds per ounce of timothy, red clover or alfalfa, or ten of them per ounce of alsike seed and not more than one hundred seeds of other useless or harmful plants per ounce of the seed so marked;

(c) 'No. 2' unless such seeds are reasonably clean, sound, contain not more than twenty noxious weed seeds per ounce of timothy, red clover or alfafa, or forty of them per ounce of alsike seed and not more than two hundred seeds of other useless or harmful plants per ounce of the seed so marked;

(d) 'No. 3' unless such seeds contain not more than eighty seeds of noxious weeds per ounce of timothy, red clover, or alfafa, or one hundred and sixty of them per ounce of alsike seed and not more than four hundred seeds of other useless or harmful plants per ounce of the seed so marked.

Rt. Hon. Sir RICHARD CARTWRIGHT. —This simply defines the standards.

Hon. Sir MACKENZIE BOWELL—I am at a loss to understand why there should be a difference between extra No. 1 and No. 1, and still more puzzled to understand how this is to be administered. Can the hon. gentleman explain why extra No. 1, which is supposed to be the purest seed, may contain up to 30 noxious seeds to the ounce, while No. 1 may not have more than five, and how that clause is to be administered? Is it by counting the number of these small seeds in each ounce in order to ascertain how many noxious seeds there are?

Rt. Hon. Sir RICHARD CARTWRIGHT —The only possible way I presume in which it could be ascertained would be by sending samples to the laboratory here or at Calgary.

Hon. Sir MACKENZIE BOWELL—But why the difference between extra No. 1 and No. 1?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department makes a difference between noxious and harmful. They allow a very small proportion of noxious, but when it is merely a case of harmful they allow a larger number of those. Extra No. 1 does not allow any noxious weeds at all.

The clause was adopted.

Hon. Mr. CAMPBELL, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

BILLS INTRODUCED.

Bill (No. 177) An Act to amend the Indian Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 103) An Act relating to steamboat subsidies.—Rt. Hon. Sir Richard Cartwright.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, May 11, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

APPOINTMENT OF OSWALD SOULIERE.

The SPEAKER presented the report of the Librarians recommending the appointment of Oswald Soulière to a position in the parliamentary library, and his own endorsation of the recommendation.

Hon. Mr. POWER moved that the report be taken into consideration to-morrow.

Hon. Mr. LANDRY—Has a report of the House of Commons to the same effect been sent here? If the proposed nomination has been accepted by the House of Commons, such an acceptance should be sent here by a message. We should make a joint report; but if we make our own report it must be with the idea that we send it to the Commons asking them to confirm it.

The SPEAKER—The report has been sent to the Commons and adopted by them; but it is a joint report, and, therefore, the report comes to us and we can act upon it and advise them that we have done so.

Hon. Mr. LANDRY—I think we should follow the same procedure in this case as in the case of a joint address.

NEW SENATOR.

AMEDEE EMMANUEL FORGET, of Banff, in the province of Alberta, was introduced and took his seat.

Hon. Mr. LANDRY—I call attention to the fact that the warrant which has been presented is without a seal, and also that it would have been more courteous to the new senator if it had been written and read in French.

Hon. Mr. DANDURAND—Will the hon. gentleman tell me if the parchment that he holds is in French?

Hon. Mr. LANDRY—Yes, in French and there is a big red seal on it.

Hon. Mr. DANDURAND—I believe my own parchment was in French. I cannot explain why the hon. gentleman has not received his commission in his own language. As the appointment came from the west, the employee having to write another one in English has probably continued in the same language as in the other case.

Hon. Sir MACKENZIE BOWELL—I should like to call attention to the fact that the hon. gentleman produced a copy of the original. It is easy to understand why there is no seal on it. The proceeding is unusual. It seems to me to be an innovation which should not be followed.

Hon. Mr. DANDURAND—I am informed that this is a certified copy of the original which has been issued.

Hon. Mr. LANDRY—I suppose there is a seal on the original?

Hon. Mr. DANDURAND—Yes.

Hon. Mr. LANDRY—Then the copy presented and read here is not a true copy if it is without a seal.

Hon. Mr. POWER—It is regrettable that the old practice has not been followed. The old practice was that the senator came here with his commission and presented it with the seal upon it. Although it was announced by the Speaker that there was a certificate from the Clerk of the Crown in Chancery, we find there is only a copy of the certificate. Probably if this had been issued from the proper office we should have the original instead of a copy.

The SPEAKER—I understand that we really have been following the practice. I do not know whether that makes it better or worse.

Hon. Sir RICHARD SCOTT—When an hon. gentleman is called to the Senate, naturally, when the Senate is sitting, he feels it his duty to be prompt in attending to the business of the country. In the meantime a stupid clerk, after finishing the document, sends it to the post office address of the hon. gentleman, a thousand miles away. The gentleman comes here and finds a condition of things for which

he is not responsible, but which arises through the carelessness of a government employee.

Hon. Mr. LANDRY—I am very glad the hon. gentleman complied so promptly with the order given by the Governor General but I am raisiing another question altogether

The motion was agreed to.

PROMOTION OF SENATE OFFICIALS.

The SPEAKER submitted a memorandum recommending an increase of salary to the sergeant-at-arms and the assistant postmaster.

Hon. Mr. POWER moved that the memorandum be taken into consideration tomorrow.

Hon. Mr. POIRIER—Are we to understand that this memorandum will supersede the report of the Internal Economy Committee which is lying on the table now?

The SPEAKER—Yes, it is entirely in harmony with it.

Hon. Mr. THOMPSON—It simply germinated last night into the proposition made by the committee, and it is entirely agreeable to us.

Hon. Mr. POIRIER—I am not very clear about the situation we are in concerning that question. I for one understood yesterday that the laying on the table of the second report of the Internal Economy Committee was not disposing of it; but that it was simply laid on the table for us to reconsider the matter. On the principle of it I am in favour of the second report of the Internal Economy Committee providing for a better classification of our sergeant at arms and the assistant postmaster. I must say that in the arrangements made for the promotion of our clerks in the Senate, our sergeant at arms was neglected. At the next sitting I shall move that the report of the Internal Economy Committee be entered on the minutes and be again taken into consideration. That was my understanding yesterday of what was to be done.

The motion was agreed to.

THIRD READING.

Bill (Y-2) An Act respecting the Sault St. Louis Light and Power Company.—Hon. Mr. David.

EXAMINATION AND QUARANTINE OF IMMIGRANTS.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government and of the House to the following letter:

Ottawa, November 23, 1910.

Sir,—Referring to the recent detection by the United States Medical Health Officer at Quebec, of a suspicious case that has proved to be Asiatic cholera, I beg leave respectfully to draw your attention to the fact that, under the usage which at present exists, passengers arriving at Canadian ports booked through to United States destinations are examined by United States medical officers alone at the port of arrival, and not at all by the Canadian officers after the vessel has passed quarantine.

The 'Royal George' arrived at Grosse Isle at half past eleven o'clock at night. The surgeon reported a case or two of measles, which were landed at the station. He reported the remainder of his passengers as being well. Upon this report of his the vessel was cleared. The usage at Grosse Isle is different from that of New York, Boston, and other ports, inasmuch as the inspections at our station are to be made all round the twenty-four hours, and not only from daylight to dark, as at contiguous ports. The reason for this is that while at other ports the quarantines are close to the head of navigation, and the delay till daylight is therefore very little loss of time, and the steamers can reach their dock in an hour or so after they are released; on the other hand at Grosse Isle, some two hundred miles below Montreal, the delay of even a few hours awaiting daylight may mean the loss of a tide at Cap à la Roche, and the consequent delay of twelve hours or so in reaching the port of destination. For this reason the government, while requiring inspection of all steerage passengers by the quarantine officer on all vessels arriving during daylight, authorizes him to take the sworn statement of the surgeon in lieu of inspection after darkness falls.

This case of cholera was a slight one; the patient walking about and not reporting himself to the doctor, who says that he was quite unaware of it until the man was noticed to stagger as he walked in line to be examined at Quebec.

The late retention of patients and others at quarantine last year and this year, is likely to increase from year to year as the immigration increases, and points to the fact that the

Grosse Isle quarantine station can no longer be regarded as a summer quarantine alone. The water pipes now laid above the ground and therefore requiring to be emptied before the frost comes, should be sunk to a frost proof depth throughout the station. The wooden buildings, built in 1848, for the detention of suspects at the western end should be replaced by two-story brick buildings, furnace heated. The hospital at the eastern end should be provided with a furnace. The wharf should be extended into deep water, and provided with a 'T,' giving mooring length of at least 500 feet, so that vessels ordered into quarantine may be able to come to it and land their passengers and supplies, and not have to depend upon the ferrying in of them for two miles in the small station boats, which cannot lie alongside of the big steamer if the sea is heavy, as it was—though only moderately so—on the Friday which the 'Royal George' lost at quarantine for that reason.

A laboratory should be built at once at the station, exactly similar to the one already built at the William Head quarantine, and an expert bacteriologist should be added to the Grosse Isle staff who should be obliged to devote several hours a day to work in the laboratory. This is essential for any one who desires to keep up the technique and to keep the materials in his laboratory in working order. Apart from the few hours so occupied during the day, such an assistant should be available for the other work of the station which is yearly increasing with the increasing immigration.

If the threatening of cholera continues during this winter, it may be necessary to resume the work which was done in 1893-4 during the threatening of cholera from the epidemic outbreak of that disease in Hamburg. The said work consists in the steam disinfection and sterilization at the deep water landings of hold luggage which has been packed in an infected country. The unpacking of such luggage at inland points, and the washing there of the soiled linen and clothing often hurriedly put into their trunks by the lower class of immigrants before leaving home, would create a danger both to those who wash such infected clothing and to any who drink from streams or other water supply into which the thrown out water of the washing may percolate. The steam cylinder erected at the Quebec embankment in 1893, and through which so much of the clothing of the Russian immigrants was then passed, has been removed and I believe broken up, under the authority of the Immigration Department. If cholera continues to threaten, I would strongly urge that either the department or our own undertake the resumption of this most necessary work.

I have the honour to be, &c.,

(Sgd.) F. MONTIZAMBERT, M.D.,
Director General of Public Health.

The Honourable
The Minister of Agriculture.

And inquired:

What are, among all the above suggestions, those which have been adopted by the government, and to what extent has each of them been carried into effect?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. The wooden buildings built in 1848, for the detention of suspects at the western end should be replaced by two-story brick buildings, furnace heated.

There is an item in the estimates for the present year to begin this work.

2. The hospital at the eastern end should be provided with a furnace.

This has been done.

3. The wharf should be extended into deep water, and provided with a 'T', etc.

There is an item in the estimates for the present year for the extension of the wharf.

4. A laboratory should be built, etc.

There is an item in the estimates for the present year for this work.

5. The other recommendations are under consideration.

POPULATION OF YUKON AND TERRITORIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What was, on March 31st last, the population of the Yukon?
2. What was the population of the Territories?
3. In the reply recently given by the government, the population of the maritime provinces, on March 31, having been stated as 1,087,131, what is in this number, the respective population of New Brunswick, Nova Scotia, and Prince Edward Island?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1. Estimated population of Yukon Territory included with Northwest Territories.
2. 59,800.
3. Unable to give estimated populations separately.

ORDINANCES IN THE NORTHWEST TERRITORIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What section of the law authorizes the commissioner of the Northwest Territories to enact ordinances in the territories under his jurisdiction?
2. What section of the law grants the same authority to the commissioner in council of the said territories?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are:

1. Sections 7 and 8, chapter 62, revised Statutes, 1906.

2. Answered by No. 1.

RAILWAY ACT AMENDMENT BILL.

Hon. Mr. YOUNG, in the absence of Hon. Mr. Béique, moved the adoption of the report of the Standing Committee on Railways, Telegraphs and Harbours, to whom was referred (Bill No. 4) An Act to amend the Railway Act.

Hon. Mr. ELLIS—I should like to call attention to a peculiarity in this report. The proposition submitted to the House states:

> That the preamble of the Bill has not been proved to their satisfaction and that the grounds on which the committee have arrived at such a conclusion are that the provisions of the Bill are not practicable and that the passage thereof would not be in the public interest.

There is no preamble to this Bill. This is surely indefinite and illusory, as was stated in regard to some other measure a short time ago.

Hon. Mr. LANDRY—I presume the mistake took place because it was sent to a special committee. They thought it was a private Bill.

Hon. Mr. POWER—I think there is a good deal of force in the objection taken by the hon. gentleman from St. John. Perhaps the motion in the committee was not the most appropriate, but it is clear that the committee reported adversely to the Bill. In favour of the report, we have certain facts.

Hon. Mr. ELLIS—My hon. friend is proceeding to discuss it. I take objection, and say that the report must be amended.

Hon. Mr. POWER—The Bill was referred to the Standing Committee on Railways, Telegraphs and Harbours. There is a rule which governs the committee, which rule is really only intended to apply to private Bills; but I think the language is wide enough to cover a public Bill. The committee report that the preamble of the Bill is not proven, and they give their reasons, and this report is in that form. As long as the House is seized of the meaning of the committee, I do not think the exact phraseology which they have used is a matter of serious importance

Hon. Mr. CLORAN—How can they report against the preamble when there is no preamble?

Hon. Mr. POWER—The first important reason for the action of the committee is that there was not submitted to them any evidence that there was unanimity of sentiment amongst the railway employees. We had witnesses, and respectable witnesses, appear before the committee, and say they thought the passing of this Bill would be injurious to their section of the railway service It was not shown that there had been any formal action taken to ascertain the general sentiment of the railway employees. So that it does not appear that there is really any demand for this measure from the body from which it is supposed to emanate. Then it was made apparent that the railway companies, the parties who were interested either adversely or otherwise along with the employees, were never approached by the employees. While such legislation may be well enough if it is found that the employers of labour are acting tyranically or unfairly, I do not think any hon. gentleman will undertake to maintain that when the railway companies have not been approached it is the duty of the Senate to legislate behind their backs. It will be time enough for the employees to come to us when they have asked the railway company to make a concession and have been met with a refusal. In the present case, it was shown that the companies had not been approached by the employees. And I am further in a position to state on behalf of the two great railway companies, the Canadian Pacific and the Grand Trunk, that when it is made to appear to them that the majority of their employees wish for this change in the method of payment of wages, the change will be made. It was shown before the committee that to make this Bill law would cause very great inconvenience and

expense to the railway companies. It was not shown that it would be of any great advantage to anybody else. The companies are prepared, if their employees are anxious for a change in the method of payment, to consent to it; and it will be quite within the power of parliament to deal with the matter later on. The men have been paid monthly for a great many years, and have got along without any serious difficulty, and I submit that it is not expedient under the circumstances that parliament should interfere. I think this unnecessary interference of parliament in the every day business of the country is a most objectionable proceeding, and I trust that in future no body of men will come to parliament, assuming they have a grievance, when they have not taken the ordinary business steps outside of parliament to have the supposed grievances redressed.

Hon. Mr. CLORAN—The hon. gentleman has been in the Senate for about thirty-five years. I have been an echo of public opinion for the last thirty-two years. I have not been in the Senate as long as the hon. gentleman who, after his experience, says that the men should first go and demand their rights from the companies. When I was a common journalist, expressing the views of the people thirty years ago, I demanded the same thing that parliament is now asked to concede.

Hon. Mr. POWER—The hon. gentleman was not in the employ of the railway companies.

Hon. Mr. CLORAN—Not now. Probably the hon. gentleman is more than I am. I am in the employ of nobody. I am in the employ of the people, and I want the hon. gentleman to understand that. I hold no stocks or other things controlling my opinion in this House. I advocated this reform thirty years ago because the men in the employ of the Grand Trunk railway demanded it. For eight long years I fought the fight without result. Why? Because the railway companies had men in parliament like the hon. gentleman from Halifax who were opposing popular rights and demands. That state of affairs, to my amazement, exists to-day. There are still fossils in this House, men who do not recognize the rights of the people. I voice sentiments to-day that I voiced thirty years ago in the public prints of this country, when probably the hon. gentleman from Halifax had no voice at all.

Hon. Mr. POWER—Oh, I was here thirty years ago.

Hon. Mr. CLORAN—I am sorry for the country. If there is no organized demand on behalf of the men, the hon. gentleman should have listened to the declarations made in the committee a week ago. The men are afraid to sign a petition of this kind; but I am not fearful of results, and I am here to-day to voice the sentiments of the people, and the hon. gentleman from Halifax ought to be the first to acknowledge it. Brought up in the position he has been of course he does not understand it. This Bill is demanded not only by the men, but by the mothers and children of their families.

Hon. Mr. MACDONALD (British Columbia)—Is there a petition asking for this legislation?

Hon. Mr. CLORAN—No. Does the hon. member from Halifax (Hon. Mr. Power) understand that the mothers of thousands and thousands of men in this country are asking for this Bill, and they have no voice in parliament? What does he say to the fact that when the mother of a family goes to the butcher or baker she has to take inferior goods because she is tied up by credit. To that he replies, there is no petition before parliament, and therefore parliament cannot deal with the question. Is the hon. member serious? Does he understand the conditions of the working classes of our community? I fear not. We owe a duty to the men we represent throughout Canada. For years they have been demanding this legislation. Why not grant it? In days gone by the Liberal party denounced the Senate as a body of incompetents. I am sorry to say to-day, and I do so that it may go on record, that under a Liberal government this Senate decided to discuss important public business with closed doors.

Another blot on the name of the Senate. Hon. gentlemen, are not following the events of the day; they are not alive to the situation; they do not know what the people want. I am here as an echo of their needs and wants. I may be wrong; I may be impulsive; I may be even juvenile in this mortuary chamber; but I want the hon. gentleman from Halifax to understand that, in regard to this measure, a hundred thousand, if not more men in this country, demand that when they have worked fifteen days they shall get their wages. Nine out of ten of the working people of this Dominion demand this legislation. The hon. member has alluded to the fact that the railway men are divided on the subject; but the vast mass of them demand that this Bill shall be passed. Why should we stand in their way? I see no reason why we should reject the demand of people who are earning their bread and want the money to pay for it.

Hon. Mr. DAVID—I ask permission to make a change in my amendment as it appears on the order. I want to strike out the word 'stations' and insert 'mechanical and car departments,' for this reason: the word 'stations' would apply to people who have not asked for this Bill, to people in the offices, and as it is designed to apply only to artisans, I ask to make this amendment. I was opposed to the Bill as it stood, because it would have entailed considerable hardship on the railway companies; but, having heard the representatives of the railway companies, I came to the conclusion that this change would remove the objection. Being convinced that it was right and proper to meet the demands of the workingmen, I tried to find a means of removing the principal objections to the Bill. The principal objection was stated by the hon. gentleman from Halifax in very clear terms. It was that the Bill had not been asked for. I think that assertion was not well founded. It has been established that this legislation has been demanded for many years by the workingmen in general, and also to a great extent by employees of the railway companies. I have evidence of that fact which I desire to lay before the House. First, there was a petition presented in 1904, signed by hundreds of workingmen employed in the Angus workshops, where there are about 8,000 people employed. This petition was presented to the Canadian Pacific Railway Company. Many of the employees did not like to sign, and the hon. gentleman can understand why. There are always people who are afraid to appear to be antagonistic to the companies that employ them. Nevertheless, the petition was signed by some hundreds and presented to the principal officers of the company. A Mr. Allard, who is one of the principal officers of the workingmen, states that the officers of the company replied that they had no objection to consider the demand of the employees, after the completion of the workshops, and when the Bank of Montreal would have a branch bank in that vicinity.

Hon. Mr. POWER—That is the first I have heard of it.

Hon. Mr. DAVID—It is none the less true. That is sufficient to show that the railway employees made the demand, and now the workshops having been finished and nothing having been done to meet their demands, they apply to parliament for legislation. For the last three or four years a Bill to meet this demand has been submitted to the House of Commons. For reasons which I do not understand, it was not passed until this session; but now it comes to us after being unanimously supported in the House of Commons. When such a Bill is adopted by the unanimous consent of the House of Commons we should hesitate before rejecting it unless it is open to some very serious objection. I come now to another proof. Another petition signed by the people of the city of St. Thomas was placed before us. The Trades and Labour Council of that city, comprising all the railway associations, have petitioned for this Bill, furnishing further evidence that it is desired. I have not with me the resolutions passed at conventions of workingmen. They are in the hands of the hon. member from De Salaberry (Hon. Mr. Béique) as chairman of the Railway Committee. They show that the workingmen

who met at Winnipeg and Fort William passed resolutions in favour of bi-monthly payments of wages by railway companies, and there was no opposition. At those conventions, all the unions of railway employees were represented. There are letters written by officers of the associations of workingmen who contend that in general the workingmen are in favour of this measure. It is impossible to deny the fact that the workingmen in general, and the vast majority of railway employees, approve of the measure. The conductors and trainmen say they do not favour the Bill, and it is because there are such people who are opposed to the Bill that I have made the amendment to apply it only to workingmen employed in the workshops of the railway company, because there can be no doubt but that they are in favour of such legislation. Another objection was that if the Bill were adopted as first worded it would have caused a great deal of trouble, inconvenience and expense to the railway companies, and would have been almost unworkable. We are told that it was almost impossible to meet the demand of the workingmen. The Canadian Pacific railway especially told us that it would be almost impossible within two weeks to go over the whole system of ten thousand miles and collect the pay-lists in order to pay the employees. I meet this objection also by declaring that the Bill shall apply only to men engaged in the workshops and car departments. Nobody can assert that that will involve any great hardship on the companies. The Bill evidently will apply only to large cities like Montreal, Toronto, Winnipeg and two or three others.

Hon. Mr. McSWEENEY—What about Moncton?

Hon. Mr. DAVID—The Bill will naturally apply to Moncton. The Bill having been asked for by the workingmen, if it causes no great inconvenience to the railway companies, should be passed. I have inquired for the purpose of ascertaining what objection there can be, and have found none. I spoke to people employed by the railway company and none of them would say that there was any difficulty in putting the Bill in operation. I asked a representative of a railway company, who was examined in another place: 'What would you say if the Bill were made to apply to certain classes of employees only?' He said: 'I have nothing to say.' That confirmed me in the view I express now before you. I ask hon. gentlemen in this House to consider if there is a good reason to oppose this amendment, and if they show me a good reason I promise to withdraw it; I am open to conviction. If, however, hon. members can make no serious objection to it, I hope they will all vote for it.

Hon. Mr. LANDRY—How does the hon. gentleman answer the objection of the hon. member from De Salaberry (Hon. Mr. Béique), that it interferes with provincial rights?

Hon. Mr. DAVID—I do not think that question can be raised in connection with this Bill, because the railways which I have mentioned in connection with it, are railways subsidized by the federal parliament, and being under the jurisdiction of the federal parliament, they are under control of the Railway Commission. It has been argued that if we commence to grant such demands, there will be no limit to them, and the employees will become more and more exacting. I say no; on the contrary, if we give the workingmen what is fair and reasonable the Senate will not be tied to them in the manner suggested. We will be in a much better position to oppose unjust and unreasonable demands if they make any. The more we prove to them that we want to do what is just and reasonable, the better position will we be in to oppose unjust demands, and I will be the first to refuse requests which I consider to be unjust or unfair. It cannot be denied that there is a growing feeling in Canada against this House, because to a great extent the public are under the impression that we are antagonistic to the demands of the workingmen. I think we will show them that they are wrong in making such an accusation, and I hope that before rejecting this measure hon. gentlemen will take into consideration not only the interests of the Senate, but the interests of the whole country, because I think the Senate

is necessary to the welfare of the country, and we must avoid anything which will have the effect of weakening the influence and prestige of this chamber.

Hon. Mr. McSWEENEY—I quite agree with the amendment, and I am only sorry it is so moderate. If I were making it, I would propose a very much more drastic amendment. The hon. gentleman from Halifax (Hon. Mr. Power) has made the statement that none of the federated societies or brotherhoods were in favour of this Bill. I have received dozens of letters and have been receiving them for years in regard to this matter. We have had people on the Intercolonial railway asking for this very Bill, not in the moderate form in which the amendment is framed, but a provision to pay fortnightly all the employees on the road. They adopt this system all over the world. In Great Britain the railway companies are doing it fortnightly, where thousands of men are employed, instead of hundreds, as in Canada. In the United States, every one of the roads does the same thing—railways that extend from the Atlantic to the Pacific. The practice of keeping workingmen out of their wages for 45 days is not the proper thing: they should be paid fortnightly. They tried it in the month of December on the Intercolonial railway. They made up the pay-sheets to the 20th, and on the 23rd or 24th the men were paid. The remaining ten days would be paid on the 6th of the following month.

Hon. Mr. POWER---This Bill does not apply to the men at Moncton.

Hon. Mr. McSWEENEY---I know it does not, but I am just giving an illustration that proves it can be worked out. Take the United States Steel Company, who employ 200,000 men.

Hon. Mr. POWER—All in one place?

Hon. Mr. McSWEENEY—No, they are in different places. The United States Smelting and Refining Company employ 50,000 men and find no difficulty. Are we going to be a stumbling block in the way of labour legislation? We have been too much against labour legislation. No doubt there is a growing sentiment in the country in favour of workingmen and it will grow still greater. Fair play is all that they want, and as long as it does not put the railways to inconvenience and does not cost them anything we should grant this legislation. I have here communications from the federation of Railway Employees, No. 15 Canadian Pacific Railway and they are asking that we should pay them bi-monthly. They do not say 'In the shop or at the divisional points,' as the amendment puts it, but all over the road. I have dozens of letters. I think we are behind in labour legislation in Canada.

Hon. Mr. CLORAN—Every time.

Hon. Mr. McSWEENEY—Great Britain leads the van. We have to take many steps forward before we can do sufficient to better the conditions of the labouring classes. New Zealand and Germany are more advanced in this respect than we are and I am thoroughly in favour of this amendment. I do not see what objection any one can have to it. It may cost the railway companies a few dollars more in clerical work but very little. I am heartily in favour of it.

Hon. Mr. WILSON—While I have every sympathy with the labouring classes, I cannot fully endorse what has been said by some hon. gentlemen to-day. One would imagine that all sympathy dwelt with them, and that those who differed from them in this matter were certainly hostile and opposed the labouring classes. No one can accuse me of not being a friend of the railroad men or labouring classes. I have always assisted them in every way I possibly could. I would do so to-day, if I were convinced that their demand was just and reasonable. Because I differ from the opinion expressed by other hon. gentlemen, I cannot be charged with being opposed to the just rights and privileges of the labouring man. If hon. gentlemen were to believe the statements made here to-day, we would think that the senior member from Halifax (Hon. Mr. Power) would hardly help a poor man out of the ditch if he found him there.

Hon. Mr. CLORAN—Like the Gentiles of old.

Hon. Mr. WILSON—He would not render assistance, according to the charges made against the hon. member. I have never heard that he was unwilling to deal fairly by the labouring classes; but because he happens to differ from some hon. gentlemen on this question, his remarks have not received that degree of respect that they ought to command. When hon. gentlemen tell me that a labouring man deserves greater consideration than any other ordinary man, they tell me what is not true. The working classes are prepared to struggle for their own benefit, and to fight their way in this world successfully. They do not need the sympathy of the classes, who for certain reasons or purposes, I know not what, pretend to take them under their wings and be their protectors at the present time. They do not desire and do not require it; therefore to charge members of this House with being hostile to the labouring classes because they do not happen to agree with the opinions others may entertain is going too far. In my own section of the country, I can go among the labouring men, as I have in years gone by, and I think I will command as much respect as some of the would-be supporters of the labouring man to-day. I do not treat them as inferior in any way whatever, but treat them as men. I believe the labouring man is one of the noblest works of God.

Hon. Mr. CLORAN—Then take care of him.

Hon. Mr. WILSON—Why should we pretend to cast over them the mantle of charity? They do not require our charity; they are well able to look after themselves. What object is there to compel railway companies to pay twice a month? Do the men need it? If they do they are different from the men of St. Thomas. There are, of course, in all branches of labour men who sometimes get behind through their own negligence. It is no fault of the employers that such should be the case. Let us consider for a moment how this law, if placed upon the statute-book, will affect the legislation in some of the provinces. In Ontario we have a garnishee law, and the railway men do not object to it. By virtue of that law an individual is enabled to go to a store or any place—

Hon. Mr. CLORAN—To pawn his wife's dress.

Hon. Mr. WILSON—My hon. friend is crazy over the farmer's wife's dresses, or something of that kind. How long has that hon. gentleman been so solicitous of the interests of farmers' wives? The farmers are able to look after themselves and do not require a lawyer for that purpose. If the hon. gentleman will state that a farmer is not able to buy his wife a dress I would not advise him to come in our section of the country to make statements of that kind. He would be told in short order that he was not in sympathy with the people. We have in Ontario a garnishee law as against wages as well as other debts and I have heard no complaints about the law there. The labouring men are quite satisfied. They are able to pay their honest debts and do not require the law to make them honest. If you compel payments twice a month, you find that it may seriously affect the law of garnishee. Are we empowered to introduce legislation that will directly interfere with the rights of the provinces? This Bill is a clear interference with provincial rights and will practically supersede a law which is now on the statute-book of Ontario which protects labouring men, enabling them to get credit where otherwise, perhaps, they would not. If you pass this law compelling payment twice a month what would be the effect? A labouring man may have $25 to his credit which is not subject to garnishee; but anything over that amount is liable to garnishee. If payments are made semi-monthly by the company, the labourer would seldom have more than $25 to his credit. Therefore a merchant would have no security and labourers would not be able to obtain credit for their supplies. The creditor knows that he is able under the present law to collect this account by garnishee, and the debtor is willing to be garnisheed rather than do without the neces-

saries of life. Is there any demand for this legislation? When this Bill was reported from committee there was a sound of trumpets; that the committee had obtained all the information that was necessary to justify this legislation. The chairman of the Railway Committee is here. Has he explained what took place in committee and what important suggestions were made by outside railway men as to the nature of the amendments that ought to be made? Will the hon. gentleman tell us what the amendments are? We have two suggestions as to what should be incorporated in the Railway Act, and it is like the mountain in labour bringing forth a mouse. Is the Senate prepared to encroach on the rights of the provinces, where they have a law permitting a garnishee when the amount due the labourer is over $25? If you call upon a railway company to be a collector of accounts from the wages due to labouring men, will there be any money left to pay the garnishee? I have discussed this question with some men who advocated two payments a month. They said, 'If it is an encroachment upon the Ontario Statutes; it interferes with the rights of the province, and the provinces should amend the law to make it correspond with Dominion legislation.' I think the workingmen are satisfied with the wages they are receiving. As a rule, railway employees receive more pay and are more comfortable in every way than other labouring men. They receive from $75 to $100 a month.

Hon. Mr. CLORAN—Section men get $35 to $40 a month.

Hon. Mr. WILSON—They will receive good wages all through. The railways may pay the men $35 a month in the district where my hon. friend lives, but in western Ontario we pay section men and other employees a good wage. They are satisfied and anxious to be employed on the railway, because they know their wages will be paid at the proper time. They have no cause of complaint. Men are employed to look after the interests of the railway, and other labourers. They must do something to earn their salaries, or they would not be retained in the position in which they are, and I think if you carefully sift the matter to ascertain who is the agittoror, you will find it is some one receiving payment for pretending to look after the interests of the railroad employees.

Hon. Mr. DAVID—Does the hon. gentleman consider that it would be wrong to make it apply to labourers in the workshops?

Hon. Mr. WILSON—I do not see that it would benefit them very much. I am quite aware that some railway men may be dissatisfied, and there may be an agitation amongst them, as well as amongst other classes; but I say without fear of contradiction, that railways are paying better wages than almost any other line of business.

Hon. Mr. CLORAN—No one disputes that fact.

Hon. Mr. WILSON—The more we encumber and disarrange the working of the railways the greater the indebtedness and the more the cost will be incurred in running the roads. There must be a reduction somewhere. The reduction in the revenues of a railway to a great extent is made in the labour department. If you increase the expense of running a road you decrease the money payable to employees. I may add further, that I do not think the railroads desire this legislation. We have up to a few years past been doing everything to encourage capitalists to invest in and build railways, and now we are asked to hamper and encumber them so that they will be unable to meet their obligations to their employees. The effect would be injurious not only to the labouring men, but to the country at large, and I appeal to the government not in any way to encroach upon the rights and privileges of the various provinces. There should be no antagonism between the Dominion and the provinces. If you begin to encroach upon provincial rights you will create a hostile feeling on their part towards the Dominion. I cannot see why this Bill has been brought here. Are labouring men suffering to such an extent that they require special legislation for their protection? All

they ask for is fair treatment and justice, and there has been no complaint of ill-treatment or injustice from the labouring classes up to the present time. I shall therefore vote against the amendment and this Bill.

Hon. Sir GEORGE W. ROSS—The Railway Act of Canada places all the railways of Canada under the control of parliament, and with a view to exercise that control in the best interest of the public, a Board of Railway Commissioners has been appointed to regulate freights, rates and all the incidents connected with the operation of a railway. Parliament was said to have gone very far in exercising such strict control over the maintenance, equipment and organization of railways and the protection of the public. I think parliament was justified in doing so, mainly because the railways were subsidized by the Dominion government. We are, therefore, as a people, partners with railway corporations and with their management. If those railways were private corporations with investments exclusively drawn from private sources, I would hesitate somewhat to interfere with contracts between them and their employees, but these are not private corporations. We are not dealing with private corporations, but with corporations whose existence and success, to a certain extent, depend upon subsidies and aids from parliament. Therefore, we have a perfect right, as far as we may consider it justified in the public interest, to deal with the railways as strictly and rigidly in everything that pertains to the public interest as we choose. I think it is in the public interest that the seventy thousand odd employees of our Canadian railways should be put in the best possible condition for their own comfort. We protect people, as far as we can, against accidents on railways, because we want to protect their families. Why should we not also extend our protecting hand to the extent proposed by this Bill? Everybody knows that the man who goes to a store with cash in hand can make better terms and secure larger returns for his investment than the man or woman who is dependent upon credit. In the one case he is free to deal where he chooses and buy in the best market. In the other case, he is to a certain extent under the control of those with whom he deals, and is to that extent under bondage to those from whom he purchases, and pays higher prices for the goods he consumes. Is it not important that we, as the guardians of the public, having subsidized these railways, having made their existence possible, and having done so at the public expense, should go one other step and see that the large number of people dependent on the railways should be equally protected? When I said there were seventy thousand employees connected with our railways, the extent of our protection goes beyond the seventy thousand. They and their families represent probably three hundred thousand people at least who are more or less interested in the Bill before the House. The House of Commons has approved of this legislation. Are we to be less progressive, less thoughtful about the protection of the people of this country and their comfort than the other chamber? Even if the other chamber did not approve of it, we should feel sufficiently interested in the comfort and welfare of those connected with our railways to take this step at least. It is said that this legislation would put the railways to some expense. The expense will be moderate at the most. We do not hesitate to say to a railway company, as we have in Toronto, 'You must build a viaduct that will cost $2,000,000.' We do not hesitate to say to a railway company, 'You must put a gate, or build a bridge, or make a subway at a certain railway crossing for the protection of the public,' though it involves millions of money and will probably have the effect of increasing freight charges. That is not for a moment considered by the Board of Railway Commissioners, nor is it when considering the interest of three hundred thousand people. Why should we hesitate to take the simple step of saying to the railway company: 'You shall pay your employees bi-monthly instead of monthly.' It is so simple and easy that I am rather surprised that any public man in Canada should for a moment hesitate to take the step. Then we have the example of railways in the United States having above

two millions of employees in their service. We have the railways of Great Britain similarly situated. Our people are as deserving of the protection of parliament as are the people of the United States or Great Britain, and while we are the custodians of their comfort we should not neglect to see that the comfort is extended as far as possible. The matter of expense is inconsiderable at the most, inconsiderable in amount and inconvenience, and even if it were much greater than it is, I would be prepared to take the step without any hesitation. Then there is another side which concerns the dignity, respect and honour of this House which is not to be overlooked. I do not like to speak of classes. We too often divide ourselves into classes, creeds and races; but there is such a thing in the air, in the public mind, and that is, differentiating to a certain extent between what Gladstone said were 'the classes and the masses.' The workingmen belong to the masses properly speaking, and they are a considerable body with their rights, feelings and instincts, and I do not want the labouring people of Canada to feel that we are not as ready to serve their interests as any body in Canada. I would regret very much if that feeling should go abroad. The Senate is said to exist by sufferance, which I deny; that is has outlived its usefulness, which I deny, and I should regret if it should be regarded as a body which would throw an obstacle in the way of that progressive legislation which is spread over the whole world, and which is tending not only to the elevation of the working classes but adding honour and dignity to those who have that legislation in their control. I am not a socialist by any means; but looking at the legislation abroad—old age pensions, and the last legislation of the Chancellor of the Exchequer which will involve Great Britain in an enormous expenditure, I cannot help but feel that that spirit which looks for, shall I say the elevation —I do not care to use the word—for the comfort of those who live by their daily toil, and live from week to week by their earnings, is not a matter of indifference to any legislative body. I do not know that the Senate could do anything that would cause more controversy, or call more attention to its place in the work of public legislation than to throw out this Bill. I, for one, would not like to take that responsibility. Indeed I am prepared to go further than the hon. gentleman who proposed this amendment. I should be glad to see this Bill cover every employee of our railways. The man who works on the road with pick and shovel deserves his bimonthly pay just as much as the man who works in the factory or the workshop. I would be prepared to take the Bill in its original condition, comprehensive as it is, and intended as it is, I understand, to meet the whole circle of railway employees from the highest paid officer of the staff to the man who is of humblest occupation. At all events, I shall accept the amendment of my hon. friend, and be prepared at any other stage to go as far as the Bill proposes, and I hope that the Senate will not at this stage of its proceedings reject the Bill.

Hon. Mr. MACDONALD (British Columbia)—The hon. gentleman from Middlesex knows perfectly well that it has not been shown by any one that the railway companies have oppressed labour in any way. We find the labourers willing to be employed. They come forward and engage at so much per month, and at the end of the month they receive their pay, and that being the case, have they anything to complain of? It is very questionable whether, if wages were paid weekly instead of monthly, it would be beneficial for those receiving them. We know that there are improvident men, women and families, and the more frequently they receive money the more inclined they are to make a bad use of it. Nobody in this House wants to injure labour in any possible way. We want to give labour everything to which it is entitled; but when organized labour comes before us for legislation we should act in a judicial way. We ought to consider those who provide the sinews of war, who furnish the money to pay these men, and not oppress them. If railway companies are charged with oppressing labour, then is the time to speak out. We all know that labour very often is unreasonable in its demands, and that, like everything else in this world,

it has to be kept in check. It is the same with labour, churches, schools and everything—all must be kept in check by law. I give full credit to those who are moving for this legislation for their philanthropic spirit. They have nothing to gain personally by it, but they imagine that the workingmen are injured by not receiving their pay fortnightly. Now, that fact has not been established. We must act in a fair, judicial way. We all know how tyrannical trades unions are; that they would starve their fellow-workmen who do not belong to their union. Do those men deserve any special favour at our hands? Not only do they wrong their fellow-workmen who will not join their union, but they paralyze the industry of the country by their strikes. I do not object to them asking for all they think they are entitled to get, but they have no right to interfere with other men getting employment. We find governments and political parties supine and afraid to act independently for fear of alienating the organized labour vote. Any man or body of men found guilty of violating the law should be punished, without regard to their connection with any class. I have nothing against labour; but, I repeat, it must be kept in check, like everything else, and I hope the House will reject the amendment and the Bill.

Hon. Mr. CLORAN—I rise with a view to putting before the country what the Senate ought to do, and I ask for no concial way. We ought to consider those who sideration from anybody in this honourable Chamber. This is the channel of public opinion and public thought, the channel where public needs are met and where they ought to be satisfied. We are here, a number of representatives, called the Senate of Canada, having in our hands the power to counteract and put aside the opinions of the people. Hon. gentlemen, when we use that right and power let us be careful of what we do. I admit the power, privileges and rights of this honourable body, but I claim that when this body exercises its rights, powers and privileges it shall not be done to the detriment of the people of Canada.

Hon. Mr. MACDONALD (British Columbia)—Hear, hear; that is right.

Hon. Mr. CLORAN—So I have no apology to offer to this House. I hold that this body is not in a position to counteract the will of the people, and that if it were it would be folly on its part to do so, because it would be simply suicide, and the sooner the people could get rid of this Chamber the better. I am in accord with the sentiments of the right hon. leader of this House expressed in past years. I came into this House not to be muzzled, not to be threatened by the dignity of the leader of the opposition or anybody else. I am here to voice and express the opinions of the people, and I want any and all to understand that. As a representative of the people I stand supreme, personally in favour of the people. This question has been before the people of Canada for the past forty years, since the construction of the first railway. I have already mentioned the fact that thirty years ago I was called upon by the employees of the Grand Trunk Railway, which was the only road we had in Canada at that time, and asked as editor of a public journal to advocate their rights, to seek for their good, to look for their advantage, and all was included in the one sentence: 'Give us our wages at the end of the week.' That was the poor man's cry thirty years ago when I was a boy and editor of a responsible paper, and making this agitation on their behalf. One hon. member has said that capital would not ill-treat labour. That was the cry twenty-five years ago and it still rings from Prince Edward Island to British Columbia. The men are asking for fair play and justice not from the Grand Trunk Railway alone but from all the companies of Canada which have been subsidized and protected by parliament, and the cry is still unanswered. The voice of the mother at home and the wail of the child at home wanting a piece of bread is still unheard by parliament, but not unheard by the House of Commons. Thank God we have a channel of opinion which expresses the voice of the people. We are asked in this House to set aside the demand of the workingmen, of the mother at home, and the wail of the child, by whom? I tell hon. gentlemen with your years of experience, with your heads of grey hair, beware

of public opinion. Listen to it and obey it. That is where I stand to-day. I am simply listening and obeying the public command. I have nothing to gain in advocating this Bill. When the hon. member from Middlesex said there are seventy thousand men in this country asking for this legislation, he would have been nearer the mark if he had said two hundred thousand. According to Freeman of the Canadian Pacific Railway, there are eighty thousand people in the employ of that company alone.

Hon. Mr. MACDONALD (British Columbia)—They are glad to be there too.

Hon. Mr. CLORAN—Probably the hon. gentleman owes his life to the good work of the men who are getting a dollar a day. You want a safe passage from British Columbia to Ottawa, and you get it through the services of men who receive a dollar to a dollar and a half a day. Then we have the Grand Trunk Railway with probably 60,000 men and the Canadian Northern with probably twenty-five or thirty thousand, besides the Intercolonial Railway and other railways, making a total of at least 200,000 men who are working on the railways of this country and they are asking for what? They are asking to be paid their wages at the end of two weeks instead of at the end of the month. Now the hon. gentlemen from British Columbia (Mr. Macdonald), Halifax (Mr. Power) and St. Thomas (Mr. Wilson) object to men getting what is due them at the end of fifteen days.

Hon. Mr. WILSON—Can the hon. gentleman show what men are asking for this legislation?

Hon. Mr. CLORAN—Every railway association, with one exception, is in favour of it.

Hon. Mr. WILSON—The railways are not agitating for it. Some want it, others do not.

Hon. Mr. MACDONALD (British Columbia)---There is free labour in this country. Men are free to make any agreement they please and why do they not stipulate when making their contract that they shall be paid every two weeks?

Hon. Mr. CLORAN—I have told the hon. gentleman from St. Thomas that all the railway men in Canada with the exception of one organization, composed of some 6,000 men, have asked for this legislation. The hon. gentleman from British Columbia asks why the men do not stipulate for payment every two weeks when they are contracting with the railway company. That is the question of the slave driver. Why does the workingman accept the job, when he can refuse it? I am glad there not many like the hon. gentleman on earth, because, the poor man would be poorer. The poor man accepts the job because his wife and children are starving. He enters into the contract under stress. Does the hon. gentleman know what stress means in law?

Hon. Mr. MACDONALD (British Columbia)—I suppose hunger is stress.

Hon. Mr. CLORAN—Yes, and that is where capital has the 'bulge,' to use a slang phrase, on labour. The labourer is obliged to sign these contracts against his own interest and that of his wife and children. That is the position to-day in many countries. God forbid that parliament should be a party to introducing into this country the principle of allowing capital, whatever it may call itself, to dictate the terms to which labour shall be subjected. We have a beautiful country, growing prosperous under a benign democracy. Let us be faithful one to the other, and let no such doctrine be introduced into our law. You will regret the day that you slighted labour and refused to give to labour what is its due. These are my sentiments now; they have been my sentiments in the past, and if Providence gives me life they will be my sentiments in the future. I believe in the uplifting of the masses, even if it is necessary by parliamentary action. Where would capital be to-day if it were not for parliamentary action? Where would your insurance companies, your banking institutions, your railways, be to-day, if it were not for parliamentary sanction, authority, approbation and protection? How much has the

parliament of Canada given to corporations? We have given them soul and life, and when the poor workingman comes around he is met with a snub by this honourable House. It is time for hon. gentlemen to be told that this line of conduct towards the working classes will not be tolerated by the people of Canada. I regret my youth when I rise to agitate the cause of the workingman. If I had a crown of golden gray hair probably my words would have more of an echo in your ears.

Hon. Mr. MACDONALD (British Columbia)—Supposing the hon. gentleman was bald?

Hon. Mr. CLORAN—But I am not appealing to men who are determined to be hostile to the general public. I am appealing to the masses of the people, over the heads of senators. I hold that the amendment proposed by the hon. gentleman from Mille Isle is only half a loaf. I am sorry he had not the courage of his convictions. I desire to pay a tribute to him. He has been for the past forty years a friend of the workingman and their representative. I am glad to-day to know, notwithstanding the dignity of his position and the increased volume of his fortune, that he does not forget them. It is all the more credit to him and will mean all the more glory to his memory when he disappears. He has fought for the workingmens rights on the floor of the House in Quebec and in the municipal council at Montreal, and I am glad to see his hand extends towards them to-day asking for their protection, not as hon. gentlemen would insinuate, that if you pay the poor labourer twice a month he will get drunk just twice a month. That is against my nature. What right has any man to say that the hundreds of thousand of workingmen will get drunk twice a month if they receive their wages that often?

Hon. Mr. MACDONALD (B.C.)—Nobody said that.

Hon. Mr. CLORAN—Not as bluntly as I have stated it, but they have insinuated it.

Hon. Mr. WILSON—Where?

Hon. Mr. CLORAN—In committee and in the House. It gives me pleasure to find that one of the brightest minds in this Dominion of Canada, and I think one of the most openhearted men of this country, takes the same view as the hon. senator from Mille Isle and which I take now. I refer to the Hon. Sir George Ross. He is in touch with the needs and wants of the people, with the aspirations of the people; he is able to express them, and he knows what Canada wants—the comforts of the home. I thank him in the name of thousand of families throughout Canada for the words he has uttered to-day, I hope they will have their effect, and that they will not fall on deaf ears as the doctrine I am preaching to-day has fallen for the past seven years. The hon. member for Middlesex (Sir George Ross) is the exponent of the best opinion in this Dominion. I am talking now from no party point of view, but I desire to pay a tribute to him as a Canadian and public man, that he is one of our best minds, one of our most noble hearted men, and when he comes here before the hon. senator from Halifax, or any other member of this House, and declares that the people and families of this country demand legislation, I hope the Senate will not turn a deaf ear to him no matter what they do with me. I have been fighting for reform in this Chamber for the past seven or eight years. Reforms take a long time and sometimes people die before they accomplish them. I hope the hon. gentlemen will not die before we accomplish reforms here. The hon. senator from Mille Isle has tried to save the situation and I am with him as far as he goes. I only wish he had gone the whole distance and endeavoured to have every one paid on the same basis. I shall vote for his motion and later on ask for more. The railway companies complain that it involves much trouble and expense to make up the list, but they do not take into consideration the discomfort and want of money in the homes of 200,000 people. That does not count with them; the companies will be put to expense. It will cost them $50,000 more. Mr. Creelman said his paylist was $4,000,000 a month, and they keep the interest on that $4,000,000 a month to

themselves and against the labouring man. There is no echo of that in this House. The railway companies keep the pay of the men earned day by day for 45 days and the company receives the interest on that 12 months in the year, but where does the workingman come in? It is a shame for a company to prevent a man receiving what he earns week by week. I go further than the bi-monthly proposition. If it is going to be an expense to the railway company to pay their men bi-monthly $50,000, let them expend $200,000 a year and pay their men weekly, the same as any other concern. Railway employees who want their money at the end of two weeks should have it, and if it costs the companies money let them pay for it. You must consider the wants of the families of the men. Under the circumstances, I shall vote for the men, hoping that in the future all railway employees will enjoy the privileges of free men and free labour.

Rt. Hon. Sir RICHARD CARTWRIGHT —I move that the debate be adjourned until Wednesday next.

Hon. Mr. CHOQUETTE—And let the debate be closed on that day.

Rt. Hon. Sir RICHARD CARTWRIGHT —I would be very glad to have it closed but that will depend on the number of speakers.

The motion was agreed to.

SECOND READING.

Bill (No. 48) An Act to amend the Montreal Harbour Commissioners' Act, 1894.—Rt. Hon. Sir Richard Cartwright.

DEPARTMENT OF RAILWAYS AND CANALS ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 156) An Act to amend the Department of Railways and Canals Act.

He said: This Bill will practically enable the Department of Railways to carry a number of items, which they have been carrying to capital account, to interest account. They will create certain suspense accounts which they will pay from time to time out of the ordinary receipts. It appears to me that will be a decided improvement upon their present practice. They have charged a number of items to capital which should have gone to interest.

Hon. Mr. LOUGHEED—What distinction does the hon. gentleman make between capital and interest account?

Rt. Hon. Sir RICHARD CARTWRIGHT —It is a hard question to answer.

Hon. Mr. LOUGHEED—I can understand suspense account making provision for those charges being made against revenue.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may say for the information of my hon. friend, that one reason why this was done was this: As hon. gentlemen know, heavy fires have occurred at various times on the railway. When a fire occurs such as the one which took place at Moncton where a million or a million and a quarter of property is destroyed, the practice of certain railway companies, who, like ours, are their own insurers, is to open a suspense account, and charge up a certain proportion each year for a series of years. Where you charge the whole amount of such a fire loss at once, it would interfere materially with the dividends of these railways, and perhaps unfairly. In our case that has never occurred. We have never received a single cent in the way of dividend from our road; but I think it would be a decided improvement if, instead of putting such an item in capital account, it should be spread over several years. We are our own insurers and should do something of that kind. It is practically equivalent to setting aside a certain portion of the annual earnings as insurance premiums.

Hon. Mr. LOUGHEED—I should like to see the illustration carried out to the extent the hon. gentleman mentions, that a dividend account should be opened up.

Rt. Hon. Sir RICHARD CARTWRIGHT —Our grandchildren may do it.

Hon. Mr. LOUGHEED—Probably it could not be imagined that the Intercolonial

railway in its operation, should be called upon to bear dividends.

Rt. Hon. Sir RICHARD CARTWRIGHT —Probably the tentative experiment which is about to be made, to which I will refer next Tuesday, may present an opportunity of solving that problem.

The motion was agreed to and the Bill was read a second time.

FISHERIES ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 185) An Act to amend the Fisheries Act.

He said: This is essentially a Bill which can be more conveniently discussed in committee. Hon. gentlemen will find the proposed changes appended to each separate clause, and it is scarcely worth while to go into a discussion now.

Hon. Mr. MACDONALD (British Columbia)—Would the right hon. gentleman be able to tell us what the restrictions on whale fishing in British Columbia are? It is an important matter, and the industry has grown to an enormous extent. Instead of having one big whaling outfit, a company has four or five, and whales are killed off very rapidly. I do not know the exact extent, but the catch is enormous.

The motion was agreed to and the Bill was read a second time.

The Senate adjourned until 2.30 p.m. tomorrow.

THE SENATE.

FRIDAY, May 12, 1911.

The SPEAKER took the Chair at 2.30 o'clock.

Prayers and Routine Proceedings.

THIRD READINGS.

Bill (S) An Act to incorporate the Albert and Moncton Railway Company.—Hon. Mr. Domville.

Bill (No. 45) An Act respecting the Montreal Park and Island Railway Company. —Hon. Mr. Casgrain.

INSTRUCTIONS TO NORTHWEST TERRITORIES COMMISSIONER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the Commissioner of the Northwest Territories, in his capacity as sole Commissioner and not as Commissioner in Council, received any instructions either from the Governor General in Council, or the Prime Minister, or the Minister of the Interior, or from any other source, concerning the territories placed under his jurisdiction?
2. From whom and at what date?
3. What number and on what subjects?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers to the hon. gentleman's questions are as follow:

1. No instructions from the Governor General in Council. No instructions from the Prime Minister. Instructions from the Minister of the Interior to pay 75 per cent of the salary of a school teacher, provided that the teaching is non-sectarian.

2 and 3. Answered by No. 1.

ADOPTION OF FRENCH METRIC SYSTEM.

INQUIRY.

Hon. Mr. LANDRY inquired:

Does the government intend to adopt for this country the use of the French metric system, and to present a Bill for that purpose during the present session.

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer to the hon. gentleman's question is: The metric system of weights and measures was legalized by 35 Victoria, chapter 47, 1873. Any contract or dealing made under this system is as legal as under the Dominion system of weights and measures. Further legislation is not contemplated this session.

INDIAN ACT AMENDMENT BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 177) An Act to amend the Indian Act.

He said: This Bill is intended to amend the powers which have heretofore

been given to the Governor in Council with respect to obtaining lands for certain purposes from the Indian bands. It refers in certain cases the decision of these matters to the judge of the Exchequer Court. They likewise place the annuity payable under treaties as part of the Consolidated Revenue Fund of Canada, which has been done as a matter of course, but which has not apparently been put in the statute.

Hon. Mr. LOUGHEED—What has given rise to these amendments? Has there been any attempt to expropriate lands without the consent of the Indians?

Rt. Hon. Sir RICHARD CARTWRIGHT—It is largely due to difficulties which have arisen in certain cases owing to towns having sprung up on lands occupied as Indian reserves. In almost all these cases, as a matter of fact, the Governor in Council has been consulted, and is consulted before any step is taken in the way of assuming possession of certain Indian reserves. It has been the invariable practice for a considerable number of years, certainly since I have had anything to do with the government, which goes back a good while.

Hon. Mr. LOUGHEED—Has the government in view the removal of Indians from any particular reserve?

Rt. Hon. Sir RICHARD CARTWRIGHT—They have not any special reference to it, but it has been found that there are a great many reserves scattered all over the Northwest. When these were originally laid out there were no railways, and in certain cases it has been found that a good deal of inconvenience is likely to arise unless special power is taken to deal with these reserves. My hon. friend will see that the rights of the Indians under these clauses are pretty fully protected, and it is the intention of the government to see that they are fully protected and the machinery of the Exchequer Court is invoked for the purpose of making certain of that. I think it will not be found in any way detrimental to the interests of the Indians; on the contrary, it is obvious—and the gentlemen from British Columbia are very well aware of the difficulties that have arisen there particularly in the city of Victoria—that some machinery is desirable in such cases. It never was intended or supposed that Indian reserves should be maintained in the middle of or in the immediate vicinity of populous white cities. Hon. gentlemen can see the extreme inconvenience of such a conditon. On the other hand, under the existing law, as I understand it, the Indians cannot be compelled to part with their lands except by their own free will and proper motion, and that has lead to very considerable inconvenience. We had before us the other day a Bill dealing with the Songhees Indian reserve in Victoria. It is thought expedient now to have a general statute bearing on the subject.

Hon. Mr. LOUGHEED—I notice that the annuities payable to the Indians will hereafter be charged to the Consolidated Revenue Fund. Against what fund are those annuities charged now?

Rt. Hon. Sir RICHARD CARTWRIGHT—They have been paid by formal vote of the House of Commons in each year. Practically speaking, they were a charge on the Consolidated Revenue, but it is not so stated in any Act.

Hon. Sir MACKENZIE BOWELL—Does this Bill apply to the whole Dominion?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

Hon. Sir MACKENZIE BOWELL—Where Indian lands have been disposed of, it has always been made with the consent of the Indians, and the amount received from the sale of the lands has been credited to a fund to be distributed among the Indians afterwards. This Bill, I see, gives power to expropriate Indian lands without the consent of the Indians.

Rt. Hon. Sir RICHARD CARTWRIGHT—In the case of towns and cities having a population of not less than 8,000; but it only applies to such places as where a town has sprung up in or upon or in the immediate vicinity of an Indian reserve, and, as I understand, all possible pains are being taken to safeguard the interest of the Indians to see that they get full value for their property.

Hon. Mr. MACDONALD (British Columbia)—There is one very good provision in this Bill, that before Indians are removed from a reserve, the matter must be referred to a judge of the Exchequer Court. We know that removals of Indians from their reserves have been made which will hardly bear the light of day, but in this case it will come before a judge who has nothing to do but to give a wise and proper decision. It is a good thing for Indians to be moved from the vicinity of towns where they are exposed to vice, drunkenness and immorality.

The motion was agreed to, and the Bill was read a second time..

JOINT LIBRARIANS OF PARLIAMENT. REPORT ADOPTED.

Hon. Mr. POWER moved concurrence in the report of the Joint Librarians of Parliament. He said: This report reads as follows:

> Sir,—The undersigned joint librarians of parliament have the honour to recommend that Oswald Soulière, a clerk in the 2nd division, subdivision B of the Department of Marine and Fisheries, be transferred to the Library of parliament to fill the vacancy caused by the death of Mr. Lampman.
>
> The undersigned beg to remark that a person conversant with the English and French language and having a good knowledge of bibliography, history and literature is needed in this department to help to keep the general catalogue in a state of efficiency, and are satisfied that the said Oswald Soulière possesses the required qualifications.

We must all rejoice that they are going to provide a qualified officer in the library, and his hon. the Speaker has appended this memo.:

> The undersigned has the honour to recommend that the Senate do concur with the House of Commons in the transfer of Mr. Oswald Soulière from the Department of Marine and Fisheries to the Library of parliament, as advised by the said report of the librarians of parliament.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman said he thought the Senate would rejoice in the fact that they were to have a qualified clerk in the library. Are we to infer that we have not had such a clerk in the past?

Hon. Mr. POWER—No, I disclaim anything of that kind; only we have here a certificate from the librarians that the gentleman whom they ask to have transferred to their service is one who has the proper qualifications, and it is always a pleasing thing to see a gentleman of that kind appointed to the staff.

The motion was agreed to.

CLASSIFICATION OF SERGEANT-AT-ARMS.

Hon. Mr. POWER moved concurrence in the memorandum from his hon. the Speaker of the Senate re classification of the Sergeant-at-Arms, &c.

He said: As hon. gentlemen know, the recommendation is in harmony with the previous recommendation made by our Committee on Internal Economy and Contingent Accounts.

Hon. Mr. WILSON—I am informed by some of the committee—and I happen to be one of them myself—that we received no notice of the meeting of the committee.

Hon. Mr. POWER—There has been no meeting of the committee since the one mentioned.

Hon. Mr. WILSON—It is unfortunate that we do not know what they are doing there.

The motion was agreed to.

SECOND AND THIRD READINGS.

Bill (B-3) An Act for the relief of George Mackay Sutherland.—Hon. Mr. Jones.

MONTREAL HARBOUR COMMISSIONERS ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole House on Bill (No. 48) An Act to amend the Montreal Harbour Commissioners' Act, 1894.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT—The department have called my attention to the desirability of proposing a couple of amendments, and for this reason: by Edward VII., chapter 24, the limits of the port of Montreal were modified and the

harbour of Montreal was excluded from that port. By some inadvertence, while they vested the control and jurisdiction of the port in the Minister of Marine, by the second subsection they give him no power to exercise said control, and, as a consequence, the port cannot be regulated, for no by-law can be enacted. They therefore propose, in order to remedy that defect, that these words be added:

And all the powers vested in this Act in the Montreal Harbour Commissioners previous to the 19th May, 1909, with regard to said port shall continue to be vested in the said minister.

That is simply giving him the power to do what the Montreal Harbour Commissioners in former times could do.

Hon. Mr. LOUGHEED—Is that a transference of the power from the commissioners to the minister?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, that is not a transfer. That has been done, but when they did transfer the power they gave him no authority to exercise his power. That is a fine legal distinction which my hon. friend will probably understand.

Hon. Mr. LOUGHEED—I thought so courageous a body as the government and the Harbour Commission would have gone on anyway.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not prepared to say they did not do that. Very likely they did. In order to carry that on they will have to strike out the heading to section 37, and substitute therefor the word, 'recovery of rates and penalties.' Then section 39 of the Act is amended by striking out the words, 'or pilotage dues,' in the 5th line of paragraph h.

The amendments were adopted.

Hon. Mr. WILSON (St. Thomas) from the committee, reported the Bill, with amendments, which were concurred in.

DEPARTMENT OF RAILWAYS AND CANALS ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (No. 156) An Act to amend the Department of Railways and Canals Act.

(In the Committee.)

Hon. Mr. LOUGHEED—Is there a suspense account kept now?

Rt. Hon. Sir RICHARD CARTWRIGHT —They have a special account, but they have not been carrying any of these items to it, and they require special authority to enable them to do so. I think their suspense account relates largely to bad debts. They have been charging these items to capital; but under this arrangement they will be charged to suspense account.

Hon. Mr. LOUGHEED—How closely do the accounts kept for the Intercolonial railway approximate the system of accounts kept by the other standard roads?

Rt. Hon. Sir RICHARD CARTWRIGHT —That is a point that there has been some difference of opinion about. The department has always insisted that the charges it has made to capital account are in strict conformity with the practice of other roads. Some of us have pointed out that in such cases the other roads had to borrow the money and pay interest on it; but in the case of the Intercolonial railway that formality has been dispensed with. I am strongly of the opinion that the less charges to capital account and the more to ordinary expenditure, the more economical the management of the road is likely to be. This amendment to the Act is a step in that direction. As to the exact method in which the accounts are kept, as far as I can find out, different railways at different periods of their existence have adopted different systems of bookkeeping. When they have plenty of money they charge these items to ordinary disbursements; when money runs scarce they put them to capital account. That, as far as I can make out, is their practice.

Hon. Sir MACKENZIE BOWELL—Has not this power been vested in the Railway Department?

Rt. Hon. Sir RICHARD CARTWRIGHT —Apparently not.

Hon. Sir MACKENZIE BOWELL—They have been exercising this power in the the past whether they had it or not.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not with respect to the classes of expenditure referred to, I think. In such cases as I mentioned the other day, where a great fire occurred at Moncton, attended with a loss of a million or a million and a quarter, they have not been in the habit of debiting that to ordinary expenditure. They put it to capital account. What the Minister of Railways proposes in such cases is that they be allowed to spread it over a term of years, and charge it to ordinary disbursements.

Hon. Sir MACKENZIE BOWELL—If that course be pursued in the future, the road will not show as good returns as it has shown in the past.

Rt. Hon. Sir RICHARD CARTWRIGHT —That depends on the number of fires that occur.

Hon. Sir MACKENZIE BOWELL—I can understand that. What I was going to point out was that a very large proportion of the expenditures in the past has been charged to capital account, which should, under the usual practice of other railways, be charged to income. Renewals are always charged by other companies to income, and not to capital account. It is only additional construction or plant that is charged to capital account.

Rt. Hon. Sir RICHARD CARTWRIGHT —That course in future will be adopted. That is the object intended by the Minister of Railways.

Hon. Mr. CAMPBELL, from the committee, reported the Bill without amendment.

The Bill was then read the third time, and passed.

The Senate adjourned until Tuesday next at three o'clock.

THE SENATE.

TUESDAY, May, 16, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

GRAND TRUNK RAILWAY ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. YOUNG—I move that rule 110 be suspended for the purpose of presenting a petition for leave to introduce a Bill to amend an Act passed this session, Bill (No. 55) An Act respecting the Grand Trunk Railway Company of Canada. It has been discovered only recently that two words were omitted from the Bill which are of extreme importance. A meeting of the shareholders has been held in London, England, endorsing the proposition which they supposed was contained in the Bill with these words added, and when they came to examine the Act afterwards, to carry out matters of detail, they found these words were not in it and, therefore, the Act was not useful to them. They desire to cure this omission by another Bill, and the time for presenting petitions has expired. I therefore ask the indulgence of the House in allowing the rule to be suspended in order that the Bill may be presented, because it is a matter of urgency, and of great importance to this large financial institution.

Hon. Mr. LANDRY—What has become of Bill (No. 55)?

Hon. Mr. YOUNG—It has been passed.

The motion was agreed to.

Hon. Mr. YOUNG—I present the petition of the Grand Trunk Railway Company of Canada, and move that it be read at length at the table and received. The petition asks leave to introduce a Bill entitled An Act to amend section 5 of the Grand Trunk Railway Act of 1911.

The motion was agreed to.

PETITIONS TO AMEND THE CRIMINAL CODE.

Hon. Mr. CLORAN presented a number of petitions praying for an amendment to the Criminal Code. He said: In presenting these petitions, I desire to express, on behalf of the petitioners, my appreciation of the energetic manner in which these pe-

titions have been laid before the House. I hope it will impress the Divorce Committee, and when we pass the legislation called for, that those who favour divorce will remember what they have done today.

ADMINISTRATIVE STAFFS OF MILITIA DIVISIONS 4 AND 5.

INQUIRY.

Hon. Mr. LANDRY inquired:

Who are, giving their names, the different officers and their respective ranks, who command and are members of the general and administrative staffs of divisional areas Nos. 4 and 5?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answer is as follows:

4th Divisional Area, Divisional Staff—
- Officer commanding, Col. A, Roy, M.V. O., A.D.C.

General Staff—
- General staff officer, 2nd grade, Lt.-Col. C. E. English.
- Divisional intelligence officer, (attached to general staff), Maj. G. E. Burns, Corps of Guides.

Administrative Staff—
- Asst. Adjt. General, in charge of administration, Lt.-Col. J. C. MacDougall, R. C.R
- Deputy Asst. Adjt. and Quartermaster General, Lt.-Col. J. A. Fages.

Services and Departments (attached to staff)—
- Command Engineer, Capt. W. G. Tyrrell.
- Divisional Signal Officer, Capt. J. A. A. Germain, Sig. Corps.
- Assistant Director of Supplies and Transport, Lt.-Col. W. J. Stewart, C.A.S.C.

Administrative Medical Officer, Lt.-Col. J. W. Bridges, P.A.M.C.
- Senior Ordnance Officer, Major A. H. Panet, C.O.C.
- Paymaster, Major J. C. O. Mack, C.A. P.C.
- Principal Veterinary Officer, Vet. Major M. A. Piché.

5th Divisional Area, Divisional Staff—
- Officer Commanding, Col. O. C. C. Pelletier.

General Staff—
- Divisional Intelligence Officer (attached to general staff) Capt. B. L. O'Hara, Corps of Guides.

Administrative Staff—
- Asst. Adjt. General, in charge of Administration, Major C. F. Winter.
- Deputy Asst. Adjt. and Quartermaster General, Capt. E. W. Pope, R.C.R.

Services and Departments (attached to staff)—
- Command Engineer, Maj. J. Houliston, R.C.E.
- Divisional Signal Officer, Lieut. J. E. Lefebvre, Signal Corps.
- Assistant Director of Supplies and Transport, Capt. G. J. Peterson.
- Administrative Medical Officer, Maj. J. D. Brousseau, P.A.M.C.
- Staff Officer to A.M.O., Maj. W H. Delaney, A. M. C.
- Senior Ordnance Officer, Lt.-Col. J. A. Morin, C.O.C.
- Paymaster, Capt. J. A. Gilbert, C.A.P.C.

Principal Veterinary Officer, Vet. Capt. J. D. Duchene, 10th Hussars.

JUDGES' LEAVE OF ABSENCE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who are, among the judges of the province of Quebec, those who have asked for and obtained leave of absence since the 1st of April last?
2. What are the reasons invoked in each case?
3. What is, in each case, the period of leave asked for, and the period granted?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follow:

1. The Honourable Mr. Justice Roy.
2. To go to Europe.
3. The May and June terms of the Court at Rimouski: the Acting Chief Justice of the Superior Court at Quebec having stated that Mr. Justice Roy could be absent without the administration of justice suffering, as another judge could readily be assigned to take these sittings of the court.

SUBSIDIES TO AGRICULTURAL SOCIETIES.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. What agricultural societies or exhibition companies have asked from the government for this year or next year a Dominion subsidy for the holding of Provincial, Dominion or Universal exhibitions?

2. What amounts have been granted by the government to each of these companies for the holding of such exhibitions?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follow:

1. Regina Agricultural and Industrial Exhibition Association, Limited, Regina, Saskatchewan, for Dominion Exhibition to be held at Regina, in 1911.

Winnipeg Industrial Exhibition Association, Winnipeg, Manitoba, for Dominion Exhibition, 1912.

West Algoma Agricultural Association, Fort William, Ontario, for Dominion Exhibition, 1912.

Vancouver Exhibition Association, Vancouver, British Columbia, for Dominion Exhibition, 1912.

2. The sum of $50,000 was granted to the Regina Agricultural and Industrial Exhibition Association, Regina, Saskatchewan for the holding of the Dominion Exhibition at Regina this year.

No other grants have been made.

THE DEEPENING OF ST. CHARLES RIVER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Besides the amount necessary for the completion of the works under contract in the estuary of the St. Charles river, does the government intend this year to ask for, or has it asked for the amounts necessary for the deepening of the St. Charles river, from its mouth as far as Bickell, bridge or neighbourhood, or for the construction of the proposed lock in the said river?
2. What is the estimated cost of the deepening works of the St. Charles river, and that of the construction of the proposed locks?
3. What amount does the government intend to allot for these works?

Rt. Hon. Sir RICHARD CARTWRIGHT —The construction of a dam and lock, the engineer reports, would give 15 feet of water from the railway bridge to the Bickell bridge without dredging. A preliminary estimate of cost of a lock and dam is $400,000, but a complete detail survey and examination is now being made to arrive at an approximately definite cost of the proposed improvement. Items aggregating $625,000 have been included in the estimates, main and supplementary, now before parliament.

THE CASE OF SAID GODLIEB.

QUESTION OF ORDER.

The notice of motion being called:

By Hon. Mr. Landry:—

1. What has been the cost to the country of the detention, at Grosse Isle, from the month of November last, up to date, of the Russian, Said Godlieb, at first suspected of being affected with typhoid fever, then scientifically acknowledged to be the victim of an attack of Asiatic cholera, subsequently changed, in the very depth of winter, owing to carefully selected precedents, into a permanent source of microbes, bacilli and other murderous animalcules, lastly and still more certainly the undeniable victim of an isolation and banishment which caused the loss of his reason?
2. What amount was more specially paid to Professor Adami, of Montreal, to Dr. Vallee, municipal bacteriologist of Quebec, and to other scientists or non-scientists who interested themselves in the case of the unfortunate man?
3. What ships of our navy were placed at the disposal of the authorities for the transportation, at fixed dates, of the necessities of life, food for the nourishment of the inmate, and alvine evacuations to be utilized by the laboratories of science?

The SPEAKER. I think this notice of motion is not, in form a proper question.

Hon. Mr. LANDRY—I should like to know on what authority his honour the Speaker says so?

The SPEAKER—It seems to me that it is contrary to the spirit of rule 27, which prohibits a preamble. This question has a preamble although it is placed after the question instead of before it, and is in that respect an attempt at an evasion of rule 27. I think also that in its terms it is, parliamentarily speaking, both irregular and unbecoming, because of the form of the recital of alleged facts, and the question asked, and considering its form and the manner of stating the facts set forth in it, is obviously not intended seriously. I think also that it is open to objection because it professes to give information when the object of a question should be to seek for information. The information and statements which the inquiry contains are not necessary and might provoke debate, and I think on that ground also it is open to objection. It may be further said that the statements of alleged facts are not necessary to make the questions intelligible. The question is followed by state-

ments or inferences and ironical expressions, and, as such, is a contravention of established practice with reference to questions. For these reasons, is appears to me that the question is not in order.

Hon. Mr. LANDRY—I suppose the hon. gentleman is going to rule it out of order. It is no use raising a question of order when the question is brought up by the Speaker himself, and decided without discussion. I cannot discuss the question of order because the hon. gentleman has given his decision. I think it is a very unfair way to bring a question before the House.

The SPEAKER—I am subject to correction, but I thought it my duty to call attention to the character of this question. It appears to me that when I see a rule infringed it is my duty to direct attention to the fact.

Hon. Mr. LANDRY—This does not interfere with rule 27, because there is no preamble.

The SPEAKER—It is an evasion of the rule because the preamble is contained in the question, although postponed to it.

Hon. Mr. LANDRY—I feel—

Hon. Mr. POWER—The hon. gentleman is out of order; the Speaker has decided.

Hon. Mr. LANDRY—I was about to say that I bow to the decision of the Chair, but I feel that I am right.

Hon. Mr. CLORAN—As a representative of public opinion—probably more than those hon. members who are laughing at the statement——

Hon. Mr. POWER—I rise to a question of order.

Hon. Mr. CLORAN—I am in order, and I do not want to be interrupted.

The SPEAKER—A question of order is always in order.

Hon. Mr. POWER---His Honour has just ruled, and the hon. gentleman from Stadacona (Hon. Mr. Landry) has accepted the ruling, and there cannot be any discussion now, unless the hon. gentleman from Victoria (Hon. Mr. Cloran) proposes to appeal from the decision of the Chair, and I think that perhaps the hon. gentleman from Stadacona will say 'Save me from my friends.'

Hon. Mr. CLORAN—I do not want to be saved from my enemies, especially those of a certain calibre.

Hon. Mr. POWER—I persist in my question of order.

Hon. Mr. CLORAN—I am answering the Chair. The Speaker has ruled a certain inquiry out of order. The hon. gentleman from Stadacona bows to it, and I rise to protest—not to protest against the ruling of the Chair——

Hon. MEMBERS—Order.

The SPEAKER—There is a proper way of testing the feeling of the House, if the hon. gentleman desires to do it. In the meantime, the discussion with reference to this question is ended, and I hope I am not understood as desiring to prevent the hon. member saying anything he desires to say about it.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think one of my hon. friend's questions for Thursday next would come under the ruling the hon. Speaker has just laid down. However, I am informed that it has just been withdrawn.

DELAYED RETURNS.

Hon. Mr. LANDRY—Before the orders of the day are called, I desire to draw the attention of the hon. leader of this House to certain returns ordered by this House in November last, which have not yet been furnished. The first order was on November 24, and reads as follows:

> That an order of this House do issue for a return of copies of all correspondence between Lt.-Col. Pelletier, commanding the 7th military district, and Lt.-Col. Bacon, commanding the 61st regiment, and the superior military authorities, with respect to any complaint or report concerning the 61st regiment active militia.

There was a subsequent order, given a month afterwards, in relation to the same officer, but in regard to events which took place after the first return had been ordered. I have an answer to the last return, but no answer to the first. Another

order was passed in this House on November 24, which reads as follows:

That an humble address be presented to His Excellency praying that His Excellency will cause to be laid before the Senate copies of all orders in council and correspondence respecting the establishment in this country of graving docks under the provisions of legislation adopted, in view thereof, by parliament.

Another order was issued by the Senate on the same date, which reads as follows:

That an order of this House do issue for a return of copies of correspondence between Major J. D. Brousseau, P.A.M.C. (acting), and his superiors with respect to any complaints or reports concerning him.

That is for the month of November. On January 13, an order was issued by this House:

That an order of the House do issue for the production of a copy of the agreements concluded between the government and the former proprietor of the Stadacona farm at St. Félix du Cap Rouge, with reference to the purchase of the said farm, and of operating the same in the future as an experimental farm, and of all correspondence on these two matters.

This return has not been received.

On January 18, an address was adopted to His Excellency, as follows:

That a humble address be presented to His Excellency the Governor General, praying His Excellency will cause to be laid on the table of this House copies of all documents concerning:

(a) The purchase at Quebec of the land necessary for the location of a central station on the site of the Champlain market.

(b) The construction of the said station.

(c) The construction of the work-shops of the Grand Trunk Pacific.

(d) The selection of the land on which the work-shops are to be erected, and copy of the correspondence in relation to these subjects.

On the first of February a humble address was adopted as follows:

That an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House copies of petitions presented by the Quebec Board of Trade, or of the resolutions adopted by it during November and December last, and transmitted to the Rt. Hon. the Prime Minister of this country, together with all correspondence exchanged on the subject of these resolutions.

I have not received that address yet. On February 3 an order was issued for the production of a statement showing from year to year the sums of money paid by the legal department to the firm of Fitzpatrick and Allard. That return I did not receive, though I did get other returns called for the same day. On March 16, an order was granted for a return with reference to the construction of a bridge on the St. Charles river, and on March 21 an order for a return showing the different properties the government possess within the city of Quebec. On April 20 I got an order from the Senate for papers relating to immigration at Quebec, and one for the production of accounts from July, 1908, to March 11, from Ulric Barthe. On April 21 I procured a similar order in another case. On April 25 I asked for a return showing the names of the officers selected to comprise the Coronation Contingent. I should have that return now. On April 27, the House ordered a return for copies of instructions issued by the Minister of the Interior to the Commissioners of the Northwest Territories. On May 5, I moved for a return for a supplementary correspondence relating to the case of Said Godlieb. I would ask the right hon. gentleman to be kind enough to have these orders attended to, so that we may get these returns before we leave. If the right hon. gentleman would be good enough to have his secretary inquire about these different returns we may have them very soon.

THIRD READING.

Bill (No. 157) An Act respecting the inspection and sale of seeds.—Rt. Hon. Sir Richard Cartwright.

ACQUISITION BY LEASE OF BRANCH LINES IN NEW BRUNSWICK.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 150) An Act to authorize the government of Canada to acquire, by lease, a certain line of railway in the province of New Brunswick.

He said: I would call the attention of my hon. friend to the somewhat peculiar character of this Bill. It is in point of fact a joint enterprise between the government of New Brunswick and the government of Canada. The government of New Brunswick are to build this road and equip it according to the standard agreed upon for

the National Transcontinental railway. Thereupon the government of Canada are willing to lease the road for a period of not exceeding ninety-nine years, and to pay therefor 40 per cent of the gross earnings of the said railway. The road, as I am advised, goes through a very fertile and populous section of New Brunswick, and it is believed by the authorities that if the road be built up to the standard prescribed, and fully equipped, they will be able to operate it for sixty per cent of the gross earnings. I have not the pleasure of knowing the railway well, but I understand it differs very largely from many sections of the Intercolonial railway, in going through a fertile, well-settled country, and it is believed that the receipts from the local traffic originating thereon will be so large that but a small burden will be placed on the Dominion by the contract they have entered into, which they trust will speedily disappear in consequence of the growth and development of traffic. The Bill, as I understand, passed without opposition in the House of Commons very recently, and that, I suppose, may be taken as a guarantee——

Hon. Mr. POWER—Not guarantee, as a suggestion.

Rt. Hon. Sir RICHARD CARTWRIGHT—As a suggestion that those expectations will be fulfilled. As I have said, I am not myself sufficiently acquainted with the region to say more than that. It is the information I have received about it, and we will all hope that the expectations may be fulfilled.

Hon. Mr. CAMPBELL—Do I understand that the government of Canada is to pay 60 per cent of the earnings of the road?

Rt. Hon. Sir RICHARD CARTWRIGHT—Forty per cent of the gross earnings.

Hon. Mr. CAMPBELL—They are to operate the road and get 60 per cent of the gross earnings?

Rt. Hon. Sir RICHARD CARTWRIGHT—Yes.

Hon. Mr. CAMPBELL—If 60 per cent of the earnings will not pay for the operating of the road what happens?

Rt. Hon. Sir RICHARD CARTWRIGHT—The loss will fall on the shoulders of the Dominion.

Hon. Sir MACKENZIE BOWELL—It seems to me that this is the beginning of a policy to acquire all the local roads in the maritime provinces. On referring to the Votes and Proceedings of the House of Commons for to-day, I find that some 12 or 13 roads are to be taken over upon certain terms and conditions. It is only carrying out the policy foreshadowed when one of the roads was taken over last session, or the year before. The statement made by the right hon. leader of the House is of such a couleur de rose character that it seems to me, under ordinary circumstances, if the country through which this line is to be built is of the fertile character described the province would not want to get rid of the line. I rather think it is a road like many other lines that have been built or partially built in the maritime provinces, that will not pay, and that they are very glad to get rid of in order that the Dominion government may carry it on whether at a loss or not. We will all agree with the right hon. leader that everybody in the province will be delighted to have the responsibility of carrying on any of these local works assumed by the Dominion. We can discuss this matter more fully when the question comes up in committee, or when the resolutions are under consideration.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may remark that this road is not yet built; but it is to be built by the province of New Brunswick. It differs very materially in that respect from any of the other roads to which my hon. friend has referred, and which, if the Bill passes the House of Commons, will come before us in due course.

Hon. Sir MACKENZIE BOWELL—It is simply the Dominion building a branch of a certain length in order to relieve the province of New Brunswick from building it themselves?

Rt. Hon. Sir RICHARD CARTWRIGHT—The government of the province of New Brunswick are to build it themselves, and

find the money for it. The province undertakes probably an equal risk with the Dominion in the matter, as far as I can judge.

Hon. Mr. POWER—Not if it gets 40 per cent of the gross earnings.

Rt. Hon. Sir RICHARD CARTWRIGHT—That would depend upon the amount of the earnings. If the earnings fall below a certain figure, the province would stand to lose. If the earnings should attain to a certain figure we would stand to lose in case we were not able to operate it at 60 per cent of the earnings. However, I suppose it can better be discussed in Committee of the Whole. It is undoubtedly an experiment, and I merely state to the House the reasons assigned for submitting it for consideration.

Hon. Mr. POWER—The right hon. gentleman has stated that this is an experiment. That is quite true. I may say that it is not only an experiment, but a totally new thing in connection with railways. The government of New Brunswick are to build the railway, and the Dominion government, which, outside of the Intercolonial railway, has always refrained from operating roads, and which now refuses to operate the Hudson Bay railway, undertakes to operate this road. It is a very peculiar case. There are certain things which strike one in connection with this road. In the first place the road is unnecessary. The Canadian Pacific railway have a line which runs practically over the route selected for this road. The Canadian Pacific railway have a line of railway running from Edmunston and Grand Falls down to St. John. There is some question as to the propriety and justice of the government of Canada entering into a competition with the Canadian Pacific railway. It is not a fair competition. The government are taking the public money and the Canadian Pacific railway have to spend their own money. I think it is unnecessary and unfair. It also competes with the Grand Trunk Pacific, which has a road running to Moncton; and when the charter was granted to that company, Moncton was selected as the terminal point because it was held that that was a sort of half way house between St. John and Halifax. The Halifax people naturally thought that the road ought to go into Nova Scotia, and the St. John people that it should go to St. John, and Moncton, as I have said, was chosen as a sort of half way house. The construction of this road will make St. John practically the terminus of the Grand Trunk Pacific, because freight which gets to Grand Falls, and then has a road of the same character as the Grand Trunk Pacific, with no grade higher than point 4, going east, will naturally take that line instead of going on to Moncton and over the Intercolonial railway, with grades which are much higher. Then again, this road, as I have said, is further unnecessary because there are other roads from Fredericton down, and there is a railway from Chipman, which lies between Fredericton and Moncton, into St. John, and the truth is that that portion of the province of New Brunswick is gridironed with railways, and this line, in my humble opinion, is altogether unnecessary. If this road were to be built, the people who should naturally operate it would be the Grand Trunk Pacific. They operate the line west of Grand Falls, and if a branch is required, I think that branch should be operated by the Grand Trunk Pacific. I have some reason to think that the Grand Trunk Pacific did not care to operate this branch. Another point about this line is that the rental to be paid by the government is excessive. If that line pays ten per cent, if there is ten per cent yearly profit on the working of that line, I believe that will be the outside figure; still the government take a leap in the dark and undertake to pay 40 per cent of the gross earnings. It is an exceedingly improvident undertaking. The road should be operated by a company if it is to be built, and I do not see why the Dominion government should interfere in the matter. If any company would undertake to build it, there is no particular reason, perhaps, why the government should not give the subsidy which is usually granted to roads constructed by companies, but the agreement in its present form is improvident and unwise, and the road is unnecessary.

There is another point to which I direct

the attention of the right hon. leader of this House. It would be bad enough if the government were to take this road over when it has been completed. But that is not the case; here is provision made in the first clause of the Bill that they should take over the line from Fredericton to Woodstock. Woodstock is a good many miles from St. John, the point which the Intercolonial railway touches, and how the Intercolonial is going to operate the northern portion of the road one cannot see. It will have no connection with the Intercolonial railway at all. It will be up in the air and quite inaccessible to the Intercolonial railway. They cannot get their trains from St. John to Woodstock without paying very dearly to the Canadian Pacific railway for the right of sending trains over that road. Then from Fredericton south, a distance of forty miles; then each 25 miles thereafter, until the line be completed from Grand Falls to St. John. The natural thing would be if the Intercolonial railway was going to operate this road, and it was not to be completed before the operation began, that they should begin to operate at the southern end where there would be connection with the Intercolonial railway itself, and not to begin at the northern end where the Intercolonial railway has no connection whatever with the proposed road. I must say that I look upon this as one of the most remarkable measures ever introduced into this House.

Hon. Mr. THOMPSON—I have listened with some interest to the remarks of the hon. gentleman from Halifax in respect to this legislation. He does not seem to be acquainted with the district. He does not happen to know that the Intercolonial railway has connection at Fredericton, and that as soon as the road is constructed from Woodstock to Fredericton it will be connected with that system.

Hon. Mr. POWER—I was mistaken in that.

Hon. Mr. THOMPSON—And in a good many other features also. In regard to this legislation, it was stated that New Brunswick was gridironed with railways. and that the road from Grand Falls to St. John would compete with the Canadian Pacific railway, and it was unfair that the government should operate this railway to compete with private enterprise. From Grand Falls to St. John, 140 miles, there is no railway, and practically no transportation except in the summer months from Fredericton to St. John, by navigation. From Woodstock to Fredericton, 65 miles, they formerly had four or five steamers running in the early months of the season, when the water in the rivers was high, which gave them accommodation. In addition to that, there were four horse stage Concord coaches, which covered the points between Fredericton and Grand Falls, but when the railway systems which the hon. gentleman mentions, were built, 25 and 30 miles away from the River St. John, they completely cut off the transportation system that the people along the River St. John enjoyed all those years. The best portion of the province of New Brunswick is located along the River St. John, from Grand Falls to the city of St. John. It is 200 miles in length. It has been well settled for many years, and it had grown to be the most fertile and in every way desirable district of the province of New Brunswick, until later when railways were constructed in other parts of the province, which of course developed valuable country in those districts. But the property along the River St. John has depreciated practically 40 per cent since the other railways were constructed that destroyed the only source of transportation that they enjoyed in the early days. There is another matter in this connection: we would not have required this railway construction if Halifax had not been at the other end of the Grand Trunk Pacific, and we did anticipate the construction of this line in the valley of the River St. John when parliament assented to the construction of that railway to the town of Moncton. The construction of that portion of the Transcontinental as located through New Brunswick from Grand Falls to Moncton is practically through a section of the province uninhabited and over which you could hardly find a mocassin track, due, in my judgment, to the domination and the influence

of the province to which the hon. gentleman belongs. It was thought then this railway would have been brought down the valley of the River St. John, and surely if there is a place in the world where the railway might be constructed it would be along the valley of a river, particularly a river like the river St. John, which for 135 miles there is only a difference of 87 feet in level—between Grand Falls and Fredericton—and a little over 200 feet in the whole distance from Grand Falls to St. John. In such a country one would find a grade for a railway that could not possibly be excelled, and running through a district that is populated from Grand Falls to St. John. The Transcontinental railway must six months of the year depend largely on the local traffic, because, as we understand, that railway was constructed to move the products of the great west to some shipping point, and I say with all due respect to what we did in parliament, that in my judgment it is not defensible that a Transcontinental line running east and west, and hurrying the product to a shipping port should be stopped at Moncton, where the product would be spilt out to be shipped over a road with one per cent grade, to St. John 90 miles, or Halifax 176, to reach the port for shipment. Why it was agreed to by the conference, I don't know. Some little jealousy existed between Halifax and St. John. I have no brief for St. John, and I am not talking for St. John, but it was contemplated when parliament passed the Bill, that the road would go down the River St. John to Fredericton, and from there to Moncton, and no sane man in New Brunswick believed the construction of the railway would be made over the watershed of New Brunswick over valleys and mountains and pusher grades, a construction which emulates the Eiffel tower in its ascent, and its stretches of steel viaducts thousands of feet in length, and hundreds of feet in height, and this was done simply to serve the demands and the domination of the province which the hon. gentleman from Halifax happens to represent. The road built down the River St. John would have been through a district where there was 50,000 or 60,000 of a population, and the road where it is constructed through the mountains of New Brunswick touches two or three open points, between Grand Falls and Moncton; points, and then goes through the backwood of New Brunswick, between Grand Falls and Moncton, and I wish to say further, that parliament would have decided that the Transcontinental should have been constructed down the valley of the River St. John, if the engineers had not reported an estimated cost which, either through ignorance or by intention, misled the parliament of Canada. It was stated that a road through that district would cost less money. It has practically cost three times as much as the estimate that was presented to parliament. The back road was selected, for some object that the people of New Brunswick cannot just appreciate other than to get beyond the winter port of St. John. By constructing the railway down the valley of the River St. John to Fredericton, the distance to St. John from that point, 70 odd miles only, there would probably have been a spur built by the Grand Trunk Pacific to have reached the winter port for Canada, for the shipment of the produce of the west. But when the people of New Brunswick realized that they had lost this road, and the people who lived along the River St. John would have no railway for 140 miles, public feeling in the province forced the local government to assume the responsibility of guaranteeing this road to the extent of $25,000 a mile in order that this wrong might be redressed. And by the legislation proposed in this Bill, I feel that parliament is doing but a small measure of justice to the people of New Brunswick. I notice, as has been remarked by the hon. gentleman from Hastings, that there is a disposition to do something towards building up railways elsewhere, and taking over other lines of railway as feeders for the Intercolonial. I have not heard the views of my hon. friend from Halifax in relation to the construction of a new line of railway in Nova Scotia by the Federal Government, in a section of the country where they claim they have no railway transportation. I do not know whether he will justify that

or not. There is an item of $1,000,000 in the estimates to build a road from New Glasgow to Isaacs Harbour. I know every foot of country through that section, and when I tell this House that by comparison between the two districts there is not a place in that whole country that has a greater demand for railway transportation than the country through which this line in New Brunswick is proposed to be built, I think there can be no disposition on the part of the Senate or House of Commons to refuse to rectify the mistake made by parliament in the construction of the Grand Trunk Pacific. I admit freely and frankly that if this road is to be constructed it would be a competitor of the Grand Trunk Pacific down to Moncton. The distance will be shorter; the grades fully as good or better, there will be no pusher grade in this line as constructed, and it will afford greater facilities to the people of the west to ship their products to a winter port than they shall have when the Grand Trunk Pacific is completed.

The motion was agreed to, and the Bill was read the second time.

FISHERIES ACT AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (No. 185) an Act to Amend the Fisheries Act.

(In the Committee.)

On subclause 2, of clause 1,

2. Such license shall not be granted until the minister has approved of the site of the reduction works on which it is proposed to carry on such manufacture, and such site shall not be within fifty miles of any other reduction works used for a similar purpose.

Hon. Mr. POWER—I understand it is desirable that the reduction works should be 50 miles from any other reduction works, but I do not see why parties who wish to invest their money in the undertaking should not be at liberty, subject to that condition, to locate their works where they please. The clause says that the license shall not be granted until the minister has approved of the location of the reduction works.

Hon. Mr. THOMPSON.

Rt. Hon. Sir RICHARD CARTWRIGHT—Certain grants are made towards these works in the fisheries estimates. We have been granting considerable sums at various times towards the extermination of the dog-fish.

The clause was adopted.

On clause 5,

5. The said Act is amended by inserting the following section immediately after section 42:

42a. No one shall maintain a pound or enclosure in which lobsters, legally caught during the open season, shall be retained for sale during the close season at the place where the pound or enclosure is located, except under a license from the minister, and no lobsters shall be taken from and disposed of from such pound or enclosure during the close season, except under a certificate from a fishery officer, setting forth the pound from which the lobsters were taken and that they had been legally caught during the open season.

2. The annual fee on such license shall be seventy-five dollars.

Hon. Mr. POWER—It seems to me that fee is excessive. A great many of the lobster packers in the lower provinces are comparatively poor men, and if a man has the enterprise to construct a pound for the purpose of keeping lobsters for some time after the beginning of the close season, I do not think he should be penalized by being obliged to pay a fee $75. I can understand that in dealing with a large business like the whaling business a fee of $75 might not be excessive, but in the case of a small lobster factory, where a pound is kept adjacent to the factory, I think a fee of $75 is exorbitant and unreasonable, and I move that it be reduced to $25, which I think is ample. With respect to the possible question of this being a money Bill, the House of Commons, in their rules, where they provide that this House shall not interfere with money Bills, especially reserve cases of this kind. They will not raise the question where the action of this House has been the reduction or increase of a penalty or fee of that kind. This is not regarded by the House of Commons as an infringement of their rights, so that there can be no objection on that ground.

Rt. Hon. Sir RICHARD CARTWRIGHT—The department anticipated this objection and sent me a memorandum on the subject, which reads as follows:

The license fee of $75 may at first sight be considered large, but it ought not to be forgotten that the concession is a valuable one and that it will require most careful watching to prevent the possibility of violations of the law, as, when it is possible to possess and handle lobsters in the close season, there is always the chance of keeping the pounds * * * and it will be necessary for the department in each instance where a pound is established to maintain an officer whose sole duty it will be to supervise the operations in connection with such pound, and to see that all the lobsters shipped therefrom have attached to them the necessary certificate to show that they were legally taken * * *

In the ordinary course of things, lobsters would not be retained in such pounds more than two or three months and a fee of $75 is as nearly fair as can be decided upon.

I do not possess the expert knowledge which would enable me to hold the scale in the matter of this kind, but I wish to call the attention of the committee to this fact, that this provision was recommended by the department after pretty full consideration.

Hon. Mr. POWER: It means practically that the government are combining with the big manufacturers to squeeze out the little ones. That is about what it is. I happen to know a little about the way in which the business is done, and you will find that in a comparatively small harbour on the Atlantic coast, a man has a factory and perhaps employs half a dozen people. The fee of $75 would be, to him, practically prohibitory, and I do not think it is defensible. And further, with respect to the fee that is to be paid by the whale fishermen, the right hon. gentleman informed the committee that the government were going to subsidize this industry——

Rt. Hon. Sir RICHARD CARTWRIGHT —No, the destruction of dog-fish. That is not whale fishing. In the case of whale fishing, very considerably heavier licenses, I believe, are required.

Hon. Mr. POWER—Then I take that back. I refer to sea-lion, hair seal and dog-fish. These people are to be practically put out of business by such a big fee being exacted, and the injustice is aggravated by the circumstance that during late years the catch of lobsters has fallen off very much. My impression is, the catch of last year was not very much more than half what it had been the year before, and you are going to very seriously interfere with the livelihood of a number of respectable and honest but poor men.

Rt. Hon. Sir RICHARD CARTWRIGHT —Is it not the case that the chief violations of the law occur with the small proprietors?

Hon. Mr. POWER—I am not sure that it is so.

Rt. Hon. Sir RICHARD CARTWRIGHT —I offer the suggestion that it should be prohibited. It appears to me that in place of encouraging a great number of these small factories, it would be better to have a few under close supervision and to enforce the law strictly.

Hon. Mr. POWER—If this were an industry just originating I could quite agree with that, but they have been packing lobsters along the shores of Nova Scotia for more than fifty years.

Rt. Hon. Sir RICHARD CARTWRIGHT —Have they not greatly reduced the quantity of fish?

Hon. Mr. POWER—Yes, there is no question about that, but one of the effects of this will be to put the small concerns out of business altogether, and I happen to know some that have conducted their business with as great regard to the law in every respect as the biggest concerns in the country. I move that we reduce the license fee to $25.

Hon. Mr. ROSS (Halifax)—I have had some experience in the lobster fishing. I am interested in one or two factories, and have supplied money to start them. I agree with the hon. gentleman from Halifax that it would be proper to reduce the fee to $25.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am not at liberty to accept the suggestion. The committee can of course vote as they please.

The motion was declared lost on a division.

Rt. Hon. Sir RICHARD CARTWRIGHT —My hon. friend from British Columbia (Hon. Mr. Macdonald) asked for details as

to the regulations governing the whale fishery. I now lay a copy of the regulations on the table, and I may remark for the information of the House and the hon. gentleman from Halifax, that the licenses in that case are for the first year $800, for the second year $1,000, for the third and each subsequent year $1,200.

Hon. Mr. GILMORE, from the committee, reported the Bill without amendment.

INTEREST ACT AMENDMENT BILL. REJECTED.

Hon. Mr. GIBSON moved the adoption of the report of the Standing Committee on Banking and Commerce, to whom was referred Bill (No. 6) an Act to amend the Interest Act, recommending that the Bill be not passed.

The motion was agreed to.

STEAMSHIP SUBSIDIES BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 103) an Act relating to steamship subsidies. He said: This is a Bill to authorize the granting of a subsidy—it is a sum we now pay for the steamship service between the Pacific coast of Canada and China and Japan, for a term not to exceed ten years, the subsidy not to exceed twenty-five thousand pounds sterling. A considerable sum has been paid in addition to this by the British government. However, they have lately reduced the amount and we are obliged, in order to maintain the service, to make up the balance. This is all being done under statute, and it was thought desirable to renew the statute as well as to place the item in the estimates, but no increase is being made in the sum paid.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

WEDNESDAY, May 17, 1911

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

GRAND TRUNK RAILWAY ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

Hon. Mr. YOUNG, from the Committee on Standing Orders and Private Bills, presented their report re the petition of the Grand Trunk Railway Company, for leave to present a Bill, and moved concurrence in the report. He said: Your committee compared the petition of the Grand Trunk Railway Company of Canada, with a copy of the proceedings of a meeting held in London, England, Thursday, April 20, 1911. At that meeting the chairman in explaining the nature of the legislation passed by this House during the present session, used the following words in addressing the shareholders:

> In order that the company may be put in a strong financial position as regards capital for a considerable period of years, powers have been taken to create a blanket mortgage of $30,000,000 to be guaranteed as to principal and interest by the Grand Trunk Railway Company.

Following that, at the very same meeting, the following resolution was passed:

> That the Grand Trunk Railway Act of 1911—(The Act which we are now seeking to amend)—now submitted to the meeting be and is hereby assented to, and the directors are hereby authorized to guarantee the first mortgage bonds of the Grand Trunk Railway Western Railway Company, referred to in the Act, upon such terms and conditions as the directors may determine.

In view of the address of the chairman to the meeting, a meeting called for the purpose, amongst other things, of passing this resolution, notice of which had been given to the shareholders—and in view of the resolution which I have just read to the House, the committee felt that the shareholders, the ones directly interested in the legislation, had due notice of the provision which they thought was in the Act under their consideration at the time. On the strength of that, the committee recommend that the rules of the House be suspended in reference to this petition, and that the report be concurred in, and I therefore move to suspend the rules.

The motion was agreed to.

Hon. Mr. YOUNG, introduced Bill (C) An Act to amend an Act of the present session, entitled 'An Act respecting the Grand Trunk Railway Company of Canada.

The Bill was read a first time.

Hon. Mr. YOUNG—As this is a matter of great urgency, if the House will permit, I move the suspension of the rules, in order that the Bill be read a second and third time presently. The reason for adopting this course is that the company are very much hampered by the omission which has taken place, and are very anxious to get the Bill through both Houses before adjournment. I placed a notice of motion on the Order Paper for the suspension of the rules, which has not yet been reached. If the House will permit the second reading of the Bill to be taken now, assuming that the motion will be carried, I will make the motion that it be now read the second time, and if not I will move that the Bill be placed on the orders of the day for second reading to-day, to be dealt with later on.

Hon. Mr. LANDRY—Do I understand that the present Bill is to supplement legislation already passed this session?

Hon. Mr. YOUNG—To rectify an omission of two words.

Hon. Mr. LANDRY—Asked for in their previous petition?

Hon. Mr. YOUNG—The company thought they had asked for it, but they had not. They thought the words were in the Bill, because the chairman makes use of the expression 'guarantee principal and interest;' but those words do not appear in the Bill. Therefore, I take it, the shareholders were well advised as to what the purpose of the legislation was, and thought it was in the Bill.

Hon. Sir MACKENZIE BOWELL—It is quite evident that when the president made that speech and the resolution was passed, he was under the impression that these words were in the original Bill. There does not seem to me to be any objection to proceeding as suggested by my hon. friend.

The motion was agreed to, and the Bill was read the second and third time and passed, under suspension of the rules.

THE POPULATION OF CANADA.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Where does the error occur in the figures published concerning the population of Canada on March 31st last, computed at 7,901,531, whilst the addition of the figures for each province and the territories gives the total of 7,890,592?
2. Where should the difference of 10,939 be placed?

Rt. Hon. Sir RICHARD CARTWRIGHT—There is no error. Immigrants numbering 10,939 not allotted to provinces by the immigration office in the years 1910-1911 are included in the total for Canada.

THE QUEBEC BRIDGE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Who replaced Mr. Vautelet as government engineer in connection with the construction of the Quebec bridge?
2. When was he appointed?
3. Of whom is now composed the commission of the bridge engineers?
4. What is the annual salary of each of its members?

Rt. Hon. Sir RICHARD CARTWRIGHT—The replies are as follow:

1. Mr. Charles N. Monsarrat, M.C.S.C.E. has replaced Mr. Vautelet as chairman and chief engineer in connection with the construction of the Quebec bridge.

2. May 1, 1911.

3. Mr. Charles N. Monsarrat, chairman and chief engineer, Mr. Ralph Modjeski, and Mr. C. C. Schneider, past president of the American Society of Civil Engineers, member of the Canadian Society of Civil Engineers.

4. Mr. Monsarrat, $1,000 per month, Mr. Modjeski, and Mr. Schneider, $500 a month each.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the sum of $300,000 subscribed by the city of Quebec, in aid of the construction of the Quebec bridge, been remitted by the government?
2. When and to whom?

3. Has the sum of $250,000 subscribed by the government of the province of Quebec, in aid of the construction of the Quebec bridge, been paid back by the Dominion government?

4. When and to whom?

5. On what date had both these amounts been paid to the company who had undertaken the construction of the Quebec bridge?

Rt. Hon. Sir RICHARD CARTWRIGHT —The answers are as follow:

1. Provision is made in the estimates now before parliament for the sum of $300,000, but until the Appropriation Act becomes law, this amount cannot be returned to the city of Quebec.

2. Answered by No. 1.

3. Provision is made in the estimates now before parliament for the sum of $250,000, but until the Appropriation Act becomes law, this amount cannot be returned to the province of Quebec.

4. Answered by No. 3.

5. By an Act passed by the province of Quebec, 1900, 63 Victoria, chapter 2, provision was made for the payment of a subsidy of $250,000, in aid of the construction of the Quebec bridge, and payments were made as provided by this Act.

Under a by-law, passed on April 20, 1900, by the city of Quebec, authority was granted for the payment of a subsidy of $300,000, in aid of the construction of the Quebec bridge, and payment was made as provided by this by-law.

QUEBEC DRILL HALL.

MOTION.

Hon. Mr. LANDRY moved:

That an humble address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid on the table of this House copy of all orders in council and of all correspondence between the Department of Militia, the Dominion government and the Quebec provincial government, the Quebec municipal authorities and the Quebec Exposition Company, on the subject of the construction of the Quebec drill hall, of the money contribution of the city and province; of the use of these buildings and of the refusal of such use, for provincial exhibition purposes, of the claim based on such refusal, and on the subject of any other application in connection with the holding of provincial or Dominion exhibitions at Quebec?

The motion was agreed to.

A CORRECTION.

Hon. Mr. LANDRY—Before the orders of the day are proceeded with, I should like to call the attention of the House to what I consider an error in the reporting of the debates of the Senate. We find at page 775, the following:

THE CASE OF SAID GODLIEB.

The notice of motion being called by the Hon. Mr. Landry:

1. What has been the cost to the country of the detention at Grosse Isle, from the month of November last, up to date, of the Russian, Said Godlieb, at first suspected of being affected with typhoid fever, then scientifically acknowledged to be the victim of an attack of Asiatic cholera, subsequently changed, in the very depth of winter, owing to carefully selected precedents, into a permanent source of microbes, bacilli and other murderous animalcules, lastly and still more certainly the undeniable victim of an isolation and banishment which caused the loss of his reason?

2. What amount was more specially paid to Professor Adami, of Montreal, to Dr. Vallee, municipal bacteriologist of Quebec, and to other scientists or non-scientists who interested themselves in the case of the unfortunate man?

3. What ships of our navy were placed at the disposal of the authorities for the transportation, at fixed dates, of the necessities of life, food for the nourishment of the inmate. and alvine evacuations to be utilized by the laboratories of science?

The SPEAKER. I think this notice of motion is not, in form, a proper question.

I desire to call attention to the fact that I never called for the motion. The report states 'The notice of motion being called by the Hon. Mr. Landry.' As soon as I rose to read my motion, the hon. Speaker intervened and declared the motion out of order. Therefore, I do not see why the motion should appear in our Debates. It was never read. It was choked as soon as it tried to show its head over the surface of these placid senatorial waters, and it was choked and drowned immediately by the Speaker. I do not see why our reports should say that the motion was called by the Hon. Mr. Landry. Before it was even read the Speaker gave his decision. As a matter of correct procedure our Debates should record the events as they take place. I find an admirable speech afterwards by the hon. Speaker, in which he puts plainly, as he views it, the matter before the Senate. I will not discuss that speech; but I think there are some additional matters in it which were not given in the House. I would like to compare the notes of the stenographer with the version we have before us to-day.

The report seems to have been corrected before the usual time, because I find something new in it that I did not hear yesterday. The wording should be the wording that was used in this House, and I think the illusion that I called for the motion, that I read the motion as given in the Order Paper, and that the Speaker rose afterwards to say that the motion was not in conformity with the rules, should all be stricken out, as well as those things which were put in afterwards, which did not occur in this House. I hope the report will be amended so that it will record exactly the decision given by the Speaker in the way he gave it, because that is a feature I would like to conserve.

Hon. Mr. DANDURAND—I think the hon. gentleman is reading from the unrevised debates and perhaps when he receives the revised version—

Hon. Mr. LANDRY—What will it be when it is revised?

Hon. Mr. DANDURAND—When he receives the proof sheet he can call the attention of the official reporters to the error which he complains of.

Hon. Mr. LANDRY—Does the hon. gentleman say I am wrong in my appreciation of the facts?

Hon. Mr. DANDURAND—No, I say the hon. gentleman may draw the attention of the reporters of the Debates to the facts which he has stated when the revised edition appears.

Hon. Mr. LANDRY—I do not know that I have authority to revise a speech which has already been revised.

Hon. Mr. DANDURAND—The hon. gentleman knows each member of this House receives a copy of the unrevised reports, and he is the judge as to what corrections he should make in the speech he has delivered.

Hon. Mr. LANDRY—I hope if the hon. Speaker receives a copy of the unrevised edition in the form I have received it, that he will correct that speech and make it read as it was pronounced in this House.

THIRD READINGS.

Bill (No. 48) An Act to amend the Montreal Harbour Commissioners' Act, 1894—Rt. Hon. Sir Richard Cartwright.

Bill (No. 185) An Act to amend the Fisheries Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 177) An Act to amend the Indian Act.—Rt. Hon. Sir Richard Cartwright,

RAILWAY ACT AMENDMENT BILL.

DEBATE CONTINUED.

The order of the day being called:

Resuming the adjourned debate on the consideration of the report of the Standing Committee on Railways, Telegraphs and Harbours, to whom was referred (Bill 4), An Act to amend the Railway Act, and the Hon. Mr. David's motion in amendment thereto.

Rt. Hon. Sir RICHARD CARTWRIGHT—This is a measure which has attracted a considerable deal of attention, and has very much interested many members on both sides of this House. I regard the object intended to be attained by the promoters of this Bill as one deserving our heartiest sympathy. I have no doubt whatever that if there is any one class in the community more than another in whose case it is desirable that they should deal on a cash basis instead of a credit basis, it is the average workingman and artisan in most communities; and I am perfectly well aware that everything which can contribute to induce them to deal for cash, instead of for credit, will be of great service to them, and to the community at large. I have no doubt, whatever, that in many cases if they could be induced, or if facilities could be given them to deal for the various commodities that they require on a cash basis instead of a credit one, it would be equivalent to a very material addition to their wages. Some years ago I had the opportunity of discussing this question at some length with a gentleman who was eminently qualified to judge of the great advantages of the cash system over the credit system, the late Mr. Eaton, of Toronto, who had carried on the cash system with great profit to him, and I believe with great benefit to the community for a long time. Incidentally, the question came up of how the introduction

of the cash system would benefit workingmen generally, a subject in which then, as now, I take a great interest, and Mr. Eaton, who had occasion to look minutely into the matter, brought forward a large number of instances in which he showed a perfectly astonishing profit, as resulting to workingmen from being able to deal for cash instead of for credit. He instanced among other things the great success of the English co-operative stores, which was due to a large degree, if not altogether, to the fact that the co-operative members did deal, I believe, exclusively for cash, and, as he very truly remarked to me, when the relations between purchaser and seller are those that the purchaser is considerably in debt to the seller, the chances are ten to one that the purchaser will come off with short measure and short weight, and that he will, in a great many cases have to accept a very inferior article at a very high price. All these things are true, I believe, and these things are considerations which should weigh, and have weighed, no doubt, with many members of the Senate in promoting legislation which will accomplish this object. At the same time, it is obvious that if we are going to enact a penal law such as is proposed here, the thing must be fully and carefully considered. I have received several communications from members of this House who take a great interest in this matter, but are not able to be present for various reasons, and also from other parties, asking that this matter be not pressed until after the recess. If we had a littre more time at our disposal, I would be inclined to say that we could not employ it better; but as this Bill will require to go first to a committee, and afterwards to the House of Commons, and as it is almost an impossibility that it should pass under the circumstances, if there is any opposition to it either here or there, my hon. friend who moved the amendment would do well to accept the suggestion and allow the discussion of this measure to be postponed until we meet again. I am, as I have said, quite in sympathy with his object; but, at the same time, I must point out to him that in all cases where severe penalties attend on the violation of any clause of an Act the clause must be fully and carefully considered. On that point I think he will agree, and everybody will agree. I am not quite certain what he means, and what classes of persons he proposes to include in his amendment. The classes I would desire to protect and assist in this way, and whom I presume he desires himself particularly to protect are the classes of men who receive comparatively low wages. To them it is of more importance than to any one else that they should get the best value for their money. If this, as I rather think it does, were to include men in receipt of salaries of say $1,200, and upwards there might be objection taken to it with some reason. The committee found it, I believe, rather difficult at first to draw the line, and I should be very sorry to see this measure disposed of without giving a full opportunity to all parties to be heard. I therefore, move that this discussion be adjourned until this day week, by which time the adjournment will in all probability have commenced.

Hon. Mr. ELLIS—The reasons which the right hon. gentleman gives are sufficiently good for the average man, but I regret this step has been taken. We should proceed with the measure and the House should express its view. There is a feeling in regard to this matter that the Senate is merely playing with the question, and that the object is to delay it. I do not know that that feeling is well founded. No doubt there is an evil of a very grave kind, and the House of Commons having undertaken to remedy the evil we should be bound by their action in some way or another, or at any rate we should give it a thorough discussion. I do not wholly agree with the amendment proposed by my hon. friend behind me; but I would be willing to vote for that as a reasonable move towards the solution of what is desired by the working men.

Hon. Mr. CHOQUETTE. When the debate was adjourned last Friday, I think it was pretty well understood by everybody that it was to be closed to-day. I put the question myself, and the right hon. gentleman said he could not say exactly it would be closed, because he could not prevent anybody speaking, but it was pretty

well understood we would take a vote before the adjournment. I do not see why we should postpone the debate. Everybody knows the merits and demerits of this Bill. It has been fully discussed in the committee and has been on the Order Paper two or three weeks. I came down specially this week to make a few remarks on the Bill in order to close the debate if nobody was ready to speak, and I am quite willing to vote on it now to ascertain where we stand. As the hon. gentleman from St. John has said, some people do not seem anxious to support the Bill or to let it pass. I think we should vote on the amendment. If I understood the right hon. leader, he told us that we ought to be very careful about the penalties being imposed. I may tell him that there is no penalty, and the only question before us is to pay the men bi-monthly.

Rt. Hon. Sir RICHARD CARTWRIGHT —If my hon. friend will look at the Railway Act, to which this would be an amendment, he will find that a violation of the Act would expose parties to heavy penalties.

Hon. Mr. CHOQUETTE—That is the general clause, but we have not to look for penalties in this Bill; we have just to declare the simple principle of semi-monthly payments.

Rt. Hon. Sir RICHARD CARTWRIGHT —We create an offence which is penal.

Hon. Mr. CHOQUETTE—The question is whether it is a proper thing to pay the men bi-monthly. I am a little surprised at this suggestion coming from the right hon. leader of the government in this House, and I am not prepared to accept it. The right hon. gentleman advances the reason that an argument may take place on the Bill in the other House, as the amendment will have to be debated there. I am informed that the amendment will be accepted there, and if we pass the Bill now it will be ready to be assented to at the end of the week. I have taken some interest in this matter, especially in regard to the working classes. Those who differ with regard to the principle of the Bill should be well prepared now to cast their vote. I oppose the motion to adjourn the debate.

Hon. Sir MACKENZIE BOWELL—I am not asking this on my own behalf, but I have received letters from senators who are not present requesting, if possible, to have the measure postponed until after the adjournment. I have my own opinions about this question as on most others, and I am prepared to express them now if the suggestion to postpone is not accepted by the hon. gentleman who moved the amendment to the report of the committee. It is a very important matter, interfering materially with questions that will affect tens of thousands of people and all the railway companies, and in my judgment it requires more serious consideration. As stated by the leader of the House, being an amendment to the Railway Act it will render those who violate its provisions liable to the penalties imposed by that Act. The wording of the resolution itself would not carry that impression. I have great respect for the action of the Commons, as they are the representatives of the people, but I say with all deference to supporters of this Bill that I do not think their action should be held up as a reason why we should adopt it. If the Senate is to be guided by that consideration, there is no necessity for a Senate. We are here for the purpose of considering the legislation which is presented to us by the House of Commons, and it is supposed that those who occupy seats in this House will consider questions of this importance irrespective of party, or of the effect it may have upon any particular constituency which it would directly affect. My idea of the duty of a senator is—and I think without considering myself at all egotistical, I have acted on that principle in this House—to treat subjects on their merits as he understands them. I am not speaking for other gentlemen, because human minds are not constituted alike, and our reasoning powers and intellect are not the same. Each one is independent in thought and should be independent in action, and matters of such great importance which affect so materially the larger corporations of this country, should be well considered before being passed upon. As there is no motion before

the Senate, and in order to test the question——

Hon. Mr. POWER—There is a motion before the Senate to adjourn the debate.

Hon. Mr. DAVID—I moved the amendment which is now before the House. I am not in charge of the Bill. It is in charge of the hon. gentleman from De Lanaudiere (Hon. Mr. Casgrain). I am much inclined to be of the same opinion as the hon. gentleman from Grandville (Hon. Mr. Choquette). I think it was tacitly understood that the Bill would be considered to-day and that there would be a vote taken. One of the reasons advanced by the right hon. leader of the House for delay was that at present the House was too thin. It will probably be thinner after the adjournment, so that his objection is not formidable. On the other hand, I should not like to take the responsibility of opposing the motion of the right hon. leader of the House. I think the hon. gentleman in charge of the Bill should be heard.

Rt. Hon. Sir RICHARD CARTWRIGHT—I may just say in reply to the hon. gentleman, that although I did not understand that this debate was to proceed to-day I did not understand—and I think the proceedings will bear me out—that any agreement was made as to a vote being taken. That could not have been done. However, I desire more particularly, to call the attention of the House to clause 427 of the Railway Act, which provides that anybody who disobeys the orders or directions of this Act, or of any Act, order or thing, hereby required to be done on the part of any such company or person shall, if no other penalty is provided in this or the special Act, be liable for each such offence to a penalty of not less than $20, and not more than $5,000 for each separate offence, in the discretion of the court before which the same is recoverable. I consulted the Law Clerk of the House as to whether penalties were imposed by this Bill, and his opinion is that this would be a severe penalty Act.

Hon. Mr. CHOQUETTE—The question of penalties was considered to be not very important by the railway companies, because they never discussed the matter of penalties, but confined themselves to the principle of the Bill. We know if it is passed any violations of its provisions will come under the Railway Act in regard to penalties, but we have nothing to do with that at this juncture. It would be out of order to discuss that, so that I do not think it will have any effect on it.

Hon. Mr. GIBSON—I think the hon. gentleman from Grandville is in error, because I was going to move the adjournment of the debate when the right hon. leader of the House said he wished to make some remarks on it. I have had some experience during my life time in paying the men monthly and paying them fortnightly, and so far as the private interests of one individual are concerned, it is a matter of little or no importance. It is a matter of his own convenience; but when you come to consider what effect it will have on 20,000 men who will be affected by it—

Hon. Mr. CHOQUETTE—Is the hon. gentleman discussing the Bill, or the question of adjournment.

Hon. Mr. GIBSON—I think we are not going to make friends by forcing this measure through the House. I had not the pleasure of hearing it discussed in the committee, and I am not prepared to discuss the merits of the Bill now, but I do call attention to the fact that we should have some regard to those who are absent to-day. It is quite true that that objection was taken to the provisions of the Bill last week, and that objection holds good to-day as it did a week ago. Let us digest the Bill during recess, and we will have a better understanding of it, and will then be able to give an unbiased opinion. I do not think it is the desire of anybody in this House to do any wrong to the working man. Many people who have never had any thing to do with the working man have a great deal of sympathy for him. I have had a great deal to do all my life with the working man, and at some other time, when this Bill is before the House, I will perhaps take occasion to make a few remarks, but in the interests of all concerned, and in the interests of the promoters of the Bill it would be far better to accept the advice of the right hon. gentle-

man who leads the House, and adjourn the debate.

Hon. Mr. CASGRAIN—I have been asked, as the promoter of the Bill, to express an opinion. Naturally, as the promoter of the measure, I should like to see the Bill carried immediately if possible. On the other hand, at the request of the right hon. leader of the government in this House, and also, perhaps, for some further amendment that might be made to this amendment—because I have heard it stated that the class of employees described in the amendment does not comprise all those we would like to have covered—I will not oppose the request of the government. The object of this legislation is to give those earning a small salary, say not more than $60 or $75 a month, the right to fortnightly payments. As to the others, the companies could deal as they liked with them. As the hon. leader of the government, and also the acting leader of the opposition in this House both ask that this Bill be postponed until a future date, I think it would be bad policy, as the promoter of the Bill, and in the interests of the measure to oppose their request.

Hon. Mr. CLORAN—I was going to vote against the amendment, but after the explanation of the promoter of the Bill, I shall vote with him on the ground that he promises on behalf of the government and on behalf of the opposition, to make the position better for the labourers. Is that the understanding?

Hon. Sir GEORGE W. ROSS (Middlesex)—If possible.

Hon. Mr. CLORAN—I am asking the hon. gentleman from De Lanaudière?

Hon. Mr. CASGRAIN—That is what I am here working for.

Hon. Mr. CLORAN—On that understanding, I shall vote with the hon. gentleman, because the amendment of the hon. gentleman from Mille Isles met my views as far as it went. It did not go far enough. The promoter of the Bill promises the House and the country that the Bill will be further amended in the interest of labour. Therefore, I am in favour of his suggestion. It makes no difference to me in regard to legislation whether suggestions come from the opposition or from the other side. I am specially in touch with the labour interests, specially concerned in this Bill, and I can say here on their behalf that they want this legislation immediately.

Hon. Mr. CHOQUETTE—We are going to adjourn.

Hon. Mr. CLORAN—I am willing to vote for the adjournment in order to stop a great evil. This legislation is not new—at least it is new as far as we are concerned, but the demand of the men is not new. It is old, grey haired, forty years old, and when we are asked to adjourn this Bill, I consent simply that by adjournment we shall get something better.

The motion was agreed to.

ST. JOHN VALLEY RAILWAY BILL.

IN COMMITTEE.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the House resolve itself into a Committee of the Whole on Bill (No. 150) An Act to authorize the Government of Canada to acquire by lease a certain line of railway in the province of New Brunswick.

Hon. Sir GEORGE W. ROSS (Middlesex)—I am not going to move any amendment or propose any rejection of the Bill; I simply wish to enter my protest against this form of legislation, and against this Bill in particular, because I think it is ill-advised, and establishes a precedent which may be very embarrassing to parliament, and which I hope even at this late stage may be reconsidered before final action is taken. The parliament of Canada has pursued three different lines of policy in regard to railway enterprises. One is the government ownership of railways, as in the case of the Intercolonial railway; the other is aiding railway development by substantial subsidies, of which we have already voted $147,000,000; and the third is the leasing of railways, which may have been helpful to the government railway. These three lines of policy have been pursued regularly for a great many years,

ever since 1882, particularly as to subsidies, and later as to the leasing of subsidiary railways. Now it is proposed that a province shall build a railway, and that the Dominion government shall assume the cost of equipping that railway, and also the cost of operating it for a return of 60 per cent of the earnings of the road. On the face of it, the government of Canada is going to assume a loss in two directions in regard to this railway. It assumes the cost of equipment, for which it gets no return.

Rt. Hon. Sir RICHARD CARTWRIGHT —The province is to deliver it fully equipped.

Hon. Sir GEORGE W. ROSS (Middlesex) —That was the original Bill, but as amended in the House of Commons the Dominion government assumes the equipment, and the cost of the equipment may be $1,000 a mile, which would be a very moderate sum. The equipment of a first-class road usually costs $2,000 a mile, so the government presents a gift to the province of New Brunswick, by the assumption of this road, of between one and two million dollars. I know of no reason why that should be done. Second, it assumes the operating expenses of that road. By the government return in regard to railways, the operating expenses of railways amounted last year to an average of say $5,000 a mile against earnings of $7,000 a mile. No person will assume that this road will earn $7,000, or $6,000 a mile, and if the cost of operating it is the average cost of operating railways in Canada, there will be a loss of at least $500 a mile, or $500,000 a year, to the government of Canada, for operating this road. Are we prepared to assume that burden—a burden not in the interest of Canada as a whole, as I will show? If this road were a feeder to the Intercolonial—and I may here say I am not in love with the Bill proposing to lease certain railways as feeders—but if it were a feeder, there might be some excuse, because it would be a source of revenue, and the burden of the railway would not be assumed by the government of Canada. But it is not a feeder and cannot in any sense be made a feeder, because it is constructed by the province of New Brunswick. In any case, it is going to be a branch road; you cannot make any thing else of it. It starts from Grand Falls and goes through the valley of the St. John to the city of St. John, but it will get no freight from the Grand Trunk Pacific.

Hon. Mr. THOMPSON—It connects with that line.

Hon. Sir GEORGE W. ROSS (Middlesex) —But it will get no traffic from it, and for this reason; the traffic originating at Montreal the company will carry to Moncton on its own railway, and if it is to be delivered at St. John it will go by way of Moncton. It cannot get traffic from other lines, because no company will send traffic away from its own rails to another line, even if the distance is shorter. Neither the Grand Trunk railway nor the Canadian Pacific railway does that.

Hon. Mr. THOMPSON—Could not the freight be routed that way?

Hon. Sir GEORGE W. ROSS (Middlesex) —No. The Intercolonial railway is carrying freight in competition with the Canadian Pacific railway, and will take it, even if the haul is longer, on its own rails. So this branch cannot get traffic to any extent from the Grand Trunk Pacific. The Grand Trunk Pacific will want to earn as much money as it can by its own enterprise, and will carry traffic on its own rails to Moncton. So you can consider this road will not be likely to receive freight from the Grand Trunk Pacific. Second, it can get no traffic from the Intercolonial railway. It does not touch the Intercolonial railway until St. John is reached. If traffic is routed by this line it would be taken by way of Moncton to St. John, so it is blocked at each end from receiving traffic except local traffic. We are equipping and running what is a purely local road for the province of New Brunswick, and the government of Canada is running it at a loss and establishing a precedent which may be a serious embarrassment to future governments, and the parliament of Canada. I would rather speak of parliament in this case than of the government. Now let me refer to our experience in the province of Ontario. I

do not want to establish any invidious comparisons between my province and any other province. We wanted to open up northern Ontario, and we saw no way of getting a road into that country except by making it a provincial work. During my administration we commenced the construction of that road, intending to open up the great clay belt, and before I left office we had built it 100 miles northward from North Bay. In the meantime, the Grand Trunk Pacific was projected, and the province of Ontario extended its line northward to connect with the National Transcontinental railway at Cochrane. There you have a feeder for the Grand Trunk Pacific, one of the best feeders between Moncton and Vancouver, and it is there at the disposal of the National Transcontinental railway to secure the trade of Ontario. That has been done by the province at an expenditure of $15,000,000. We asked for a subsidy, we did not get it. We have received no aid from the Dominion government towards the construction of that road. We have asked nobody to operate it for us; we operate it at our own expense. If this precedent is established and Ontario wants to build another road, whether a feeder to the Grand Trunk Pacific or for any other purpose, the province will have a precedent by which it can rightly claim the aid of the government of Canada. I do not want Ontario to be in that position. I do not want aid solicited for any such purpose. Our history has been that we built our own railway without aid from the government of Canada, at an expense to the province of $15,000,000, and adding the bonuses from municipalities amounting to $18,000,000. We put the surplus of the province of Ontario into railway enterprises; we asked for a little subsidy but did not receive a shilling for this large expenditure. Is it fair to Ontario, is it fair to the rest of Canada that the Dominion should be taxed from one end to the other in order to equip and operate a local road in one of the provinces? I want to emphasize very strongly the fact that we are to run this road at a loss of half a million dollars a year, whereas in the other provinces local railroads are local enterprises, built by local capital either by the local government or corporations, and aided by local subsidies. There is no justification for this Bill by any practice or rule of business as I understand it. Let me not be understood as being hostile to the development of the Intercolonial railway. I am not. The Intercolonial was built as part of the compact of confederation, and that compact should be observed, even if it involves a substantial loss, but notice this feature: the original Intercolonial railway was from Halifax to Rivière du Loup, a distance of a little over 500 miles. If we had stopped with the construction of the Intercolonial at Rivière du Loup we would have fulfilled the conditions of confederation. But what have we done? We have built a thousand miles in addition to the original section. The Intercolonial railway is now fifteen hundred miles long; we have extended it to Fredericton and other points in New Brunswick, and we have gone to Sydney, and I cannot tell what points in Nova Scotia. The Intercolonial railway has been extended at an expense of about $90,000,000, although such extension was no part of the original compact. Now my contention is that that large amount of money having been spent, and largely in the maritime provinces—and they are welcome to it so far as I am concerned—for the development largely of their resources, which are very great and growing rapidly—having done that, is it not time that we should at all events keep our hands off what are practically local railways, and let the maritime provinces, or any other provinces, proceed with the development of their own railway systems, by means of their own resources. If we look elsewhere what have we done? All we have done is to subsidize by land and money the railways of the west. Manitoba has over 3,000 miles of railway; Saskatchewan 2,500 and Alberta 1,000. Who built them? The railway companies, partly out of their own money, and partly with grants of land from Canada, and that is the only way in which Canada has given her wealth for the construction of those railways. They have been built by subsidies and guarantees. Suppose a local railway was wanted from any point in the west, to any other point within the same province, not claiming for it that

is was a feeder of a main line, the western provinces might come to this House and ask for assistance similar to this granted the railway from Grand Falls to St. John. Is parliament prepared to take this step, and establish such a precedent? I had the honour of being in the House when Sir Leonard Tilley first introduced his Bill to subsidize railways generally, and I remember speaking to him on the floor of the House, although not to the House, after his Bill was introduced, and saying, 'Sir Leonard you are establishing a precedent that will involve Canada in millions. I mean that you are using railway subsidies to subvent the subsidies given by the Dominion to the province in lieu of a direct subsidy, for if you aid the development of the provinces by railway subsidies you might as well do it by direct subsidy.' Sir Leonard's reply was, 'I admit that what you say is true, but in the east railway construction is slow, and people are not as well off there as they are in the west, and we cannot get roads except in this way. I am forced to do what I have done in the interest of the eastern provinces.' So it was done, and the game was played. The maritime provinces did not get more than their share; neither did Quebec. Ontario got very little aid, the great provinces of the west got abundant subsidies, no doubt in the interest of Canada—I do not object to it at all—but let us not initiate a new policy. The old policy has been satisfactory. It is a sufficient guarantee that a good railway enterprise will receive the support of parliament, but let us not tempt the provinces to enter on enterprises that are not going to be self-sustaining, or, at all events, that have to be sustained, being purely local, at the expense of the government of Canada. This is a matter that is not so serious in itself because of the loss, for we can stand half a million a year—we think we can stand almost anything now—and I would be generous beyond precedent in all matters of local development or local enterprise, but let us see where it is going to lead. Let me refer to another difficulty; we are becoming tenants of a province. We are leasing this road from the province of New Brunswick, and the province of New Brunswick is to be our landlord. What have we got? We have a whole province the landlord of the Dominion of Canada in regard to a railway. The landlord may say that the road is not well enough equipped, and that if we do not equip it better there will be trouble. What trouble would the landlord give? Political trouble is the only trouble the landlord could give, and we all know that is trouble enough. Or the province might say, 'You have not trains enough' or 'the passenger equipment is not sufficient,' or 'The road is running down.' Does parliament want to put Canada in the position of being a tenant to a provincial government, to be exposed to its gibe, to be exposed to its threat, its interference, its political malingering—because they tell me some provinces are in the habit of indulging in political malingering now? I would not want any province to be landlord over the Dominion of Canada. I do not think we are going to profit any by putting as intelligent and far-seeing a province as New Brunswick in the position of landlord over the Dominion of Canada. Let us not mix our enterprises with those of the provincial governments, or, as George Washington said in his farewell address, let us not get into entangling alliances with other governments or political organizations. We want them to keep their hands off us. We regard provincial rights, but at the same time we regard Dominion rights. By this Bill we are placing ourselves in a position to have a perpetual quarrel with the province of New Brunswick, if they have a quarrelsome government, and they may have. We are getting ourselves in the position of having this an issue in elections, and are opening the way for demands upon us from all over Canada, the extent of which we cannot foresee. I am acquitting my conscience in making this statement. I would be glad if the leader of the government could let this Bill go over to the ides of March, or a period when such railways would not be required in Canada. I cannot stay the hands of the government, but I want to express my opinion, and it is done with a sincere desire to protect the government from getting into trouble with a province of Canada.

Hon. Mr. CASGRAIN—I want to answer in a very few words the hon. gentleman, especially with regard to Ontario when he says that Ontario got very little railway subsidies from the Dominion. I claim that if the hon. gentleman will remember carefully, he will not adhere to that statement. In the first place, when the Grand Trunk railway was built from Montreal to Toronto and onward, I understand a very large loan was made, and the building of that line opened up Ontario, and helped every small town in the province that has been served by the Grand Trunk railway.

Hon. Sir GEORGE W. ROSS (Middlesex)—It opened up Quebec also.

Hon. Mr. CASGRAIN—Very little of Quebec. There was the line from Lévis to Richmond and through the eastern townships, and from Montreal a distance of some thirty-five miles to River Beaudette, and a line to Island Pond and Portland. When the Canadian Pacific railway was constructed, how much of it was built in Ontario? Surely if there ever was a road subsidized by this country it was the Canadian Pacific railway. How many miles of the Canadian Pacific railway, at the very outset, were built in the province of Ontario?

Hon. Sir GEORGE W. ROSS (Middlesex)—But the Canadian Pacific railway is not a local railway.

Hon. Mr. CASGRAIN—Compare it with the number of lines proposed to be built in Quebec. It required, as the hon. gentleman from Belleville (Hon. Sir Mackenzie Bowell) knows, almost a revolution in the Conservative party to make them buy the North Shore railway, extending from Ottawa to Quebec. Hon. Mr. Chapleau and a band of Quebec members had almost to take the Conservative government by the throat to make them buy that railway at less than it cost for the Canadian Pacific railway. At the first go off, the Canadian Pacific railway built 1,000 miles all in the province of Ontario, starting from Callendar and going westward, not to open up a fertile stretch of country. Everyone knows that the Canadian Pacific railway west of Pembroke passes through a very poor country. It has been in operation for twenty-five years, and yet you will not find north of Lake Superior a town of any size or importance except Port Arthur and Fort William.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman consider the Canadian Pacific railway a provincial road?

Hon. Mr. CASGRAIN—The contention of that Ontario had not received any subsidies——

Hon. Sir GEORGE W. ROSS (Middlesex)—I was speaking of a local road—a purely local road.

Hon. Mr. CASGRAIN—A through road is just as good as a local road. The hon. gentleman spoke of the opening up of the clay belt in new Ontario, but that has been developed largely by the Grand Trunk Pacific. The hon. gentleman also spoke of the extension of the Timiskaming and Northern Ontario railway from North Bay to Cochrane. If my memory serves me correctly, when the Timiskaming and Northern Ontario railway was started, there was no question of building the National Transcontinental railway. It had not been mooted, because it was only discussed here in 1904, and it was only then it was decided to extend the Timiskaming and Northern Ontario northward from Lake Timiskaming to Cochrane. In building that line, I do not think the province of Ontario made any mistake. On the contrary, the government of the province was perfectly justified in undertaking the work. It has more than paid its way, though it has cost an immense sum of money. The road is 250 miles in length and has cost $15,000,000, which would be about $60,000 a mile, including equipment. It is a very well built road. The grades north of Cobalt are standard grades. Between North Bay and Cobalt, the grades are one, and even one and a quarter per cent. An hon. gentleman says: 'Look at the province of Quebec.' How many miles of railway have the Grand Trunk railway or Canadian Pacific railway built in the good old province of Quebec in the last twenty-five years? I do not know of any branch lines they have built, though there are counties in the province that have been settled for between two and three

centuries, which are to-day without a mile of railway, and yet we have been paying our share to build lines in every other part of the Dominion. The county of Charlevoix which has been settled for 250 years, has not a mile of railway, and Gaspé had none until recently, and they have been getting a line built for 25 years.

Hon. Mr. CHOQUETTE—Would it not be better to assist a company to build this road?

Hon. Mr. CASGRAIN—I claim that the province of Ontario has about twice as many miles of railway per thousand of population as Quebec. Ontario has been in the lucky position of being in the middle of Canada; no matter which way you build a railway Ontario gets the larger part of it, and before we adjourn for recess another $35,000,000 will be given to Ontario by way of guaranteeing the Canadian Northern bonds. I see about a thousand miles of railway starting from Port Arthur following the line between the Transcontinental and the Canadian Pacific railway, the Transcontinental passing north of Lake Nipegon, and the new line will run south of it, not very far from the Canadian Pacific railway, skirting the great clay belt on the south end thereof. Then it will continue east that way and come down south of Lake Timiskaming, through the Porcupine district, and on to Montreal—about 1,000 miles in length. We all know that for this road the government have guaranteed $35,000 per mile, at 3½ per cent. I do not begrudge it to Ontario, but my blood boils when they say in this House that Ontario does not get its fair share. I think if any provinces do not get the fair share it is the eastern provinces. As to the lines being built in the prairies for nothing, I may say that lines have been built in the prairies for very high subsidies. I claim that the province of Quebec is the one that should be getting more and more facilities. I claim that the great city of Montreal should have a branch line to connect with the Transcontinental. As things are now the freight from the great west comes over the National Transcontinental railway to Cochrane, and then over the Timiskaming railway, all in the province of Ontario. It will come from North Bay to Scotia Junction, again in the province of Ontario, and along the Parry Sound railway, which has been acquired by the Grand Trunk railway, from Scotia Junction to Montreal, three-quarters of it still in Ontario. That is all right. The representatives of Ontario have been able to secure nearly all the railways. We are asking for a branch line to be built from Montreal to the Transcontinental, a distance of 250 miles. There is no motion of any kind from anybody to start that line. Hon. gentlemen have referred to the roads in the prairies, and it has been stated that no subsidies were given to them. Take the road to the Pas; I think ten thousand acres of land per mile was the subsidy given to those who built the road to the Pas, and the land was not taken along that road—not at all, it was given in another place, where the land was good, and that land is selling to-day at twelve to fourteen dollars an acre. That amounts to $140,000 a mile in land subsidies alone. They have received good fat subsidies to build railways through the prairies. Coming back to the Bill before us, this proposed road from the Transcontinental to the city of St. John, following the River St. John, is the proper place where the Transcontinental should have been built in the first place. It is the only place, where you follow the River St. John and get an easy grade. The Transcontinental, from the River St. John has to cross two summits before it gets to Moncton. It crosses one immediately east of the St. John river. Naturally the people of Halifax and Nova Scotia were bound to have their fair share also, and the Transcontinental was brought to Chipman and then to Moncton; but I leave it to the hon. members from New Brunswick to say that the line via St. John's valley offers the very best grade that could be found in New Brunswick. From the Transcontinental on the east shore of the St. John river, to the city of St. John, the government—I do not speak as to the merits of the agreement giving 40 per cent—the government pay 40 per cent, or receive 60 per cent of the gross earnings of the railway: I do not exactly understand, and would be glad to get a little

explanation of how that 40 per cent of the gross earnings is going to be paid by way of lease, and so on. It is rather a mix-up. I do not understand it. I should say it would probably be better for the government if they would pay by way of a lease in some other way. If the operation costs as much, how will they pay 40 per cent of the gross earnings? I cannot understand that, and would like a little explanation of it. I am much obliged to the House for being allowed to unburden my mind in regard to the injustice to Quebec.

Hon. Mr. BAIRD—As I am considerably interested in this matter, I feel it my duty to make a few remarks. Ever since confederation, New Brunswick has, to my mind, been neglected in the way of railways, especially the St. John river part of it. We were promised by certain politicians at confederation that the Intercolonial railway would go down the St. John river valley; but for some reason or other the powers were stronger for the north shore, and the result was the Intercolonial railway was built by the north shore. When the Grand Trunk Pacific Bill was before this House, and when the question was being decided as to what course it would take, naturally the people in the valley of the St. John River expected it would go down by that route, as every one knows that the facilities for building a road are very much easier down the St. John river, with a fall of only 150 or 160 feet between Grand Falls and St. John and there will be no difficulty in getting a road of the required grade. Two surveys were made, and, I understand, on the report of the engineers who made the survey down the St. John river, it being suggested it was more expensive than by the central route, the government claimed they felt in duty bound to build it down through the centre of the province. We all know the building of that road costs a great deal more money than was anticipated by members of the government. The part of the road from Grand Falls east some 25 or 26 miles, has cost more than any piece of road between the Atlantic and the Pacific. This is a well known fact. It is about six miles longer than the ordinary highway road in the country. It had to be built in this way to obtain the required grade. The Bill before this House is rather to assist the legislation that was passed by the local government, I think, about a year ago. They agreed to guarantee the bonds for $25,000 a mile upon a road running from St. John to Grand Falls, of course on the understanding that the Dominion government would supplement that with the guarantee of $6,400 per mile. Government is now asking parliament for the legislation necessary so that the road when built shall pass over to and be operated by the Intercolonial railway, the Intercolonial railway paying 40 per cent of the gross earnings. The hon. gentleman from Middlesex seems to be very pessimistic as to the earnings of a road running down the valley of the St. John river. Any person who has travelled through the valley of the St. John river will agree with me that there is no part of Canada where the land is more fertile than on the St. John river. It might well be called the finest farming country in Canada, and the difficulty has been that the settlers have been located on that river for about 150 years without any railway. That may seem strange. People who have not travelled in that country would scarcely believe that the railways all seem to diverge from the river. I do not know why. Perhaps when we had a steamboat on the river they thought it best to keep the railways away from the river so as to prevent competition in rates. But the situation is now changed. When I was a boy, steamers were running from St. John to Grand Falls, the head of navigation. At present there is no steamer north of Fredericton. Now that the lands have been cultivated, and the forests burned away there is low water. You can now only run a steamer from Fredericton to Grand Falls a distance of 130 miles for about one month in the year. Forty years ago, you could run a steamer three or four months in the year on that route. There is no railway between Fredericton and St. John, although it is a very fine section of country. The railways touch at Fredericton. From Fredericton to Woodstock, a little over 60 miles, there is no railway on either side of the river. That is another very fine part of New Brunswick,

which would certainly develop a large amount of freight if there were railways built there. The question is whether this road is to pay. I should judge from the improvement made in the management of the Intercolonial railway, that if this line were made a part of the Intercolonial railway it would be a paying enterprise. It will not be a branch, as the hon. gentleman said a while ago. I have a suggestion which I have not yet seen in print, but which I think will be the outcome if this legislation passes, that when the line is built to Grand Falls, if there are running rights over the Canadian Pacific railway for 12 miles to St. Leonard, there it would connect with the Grand Trunk Pacific, and would meet the Intercolonial railway coming over from Campbellton. The government has introduced in the Commons a Bill to take over twelve branch lines and make them part of the Intercolonial railway, and this road from St. John river to Campbellton is one of the branches they will take over. If this legislation passes it will only be a few years until New Brunswick has a belt line extending along the north shore and then down the St. John river to St. John. Then with regard to the question of traffic, an hon. gentleman remarked that if we made connection with the Grand Trunk Pacific we would get no freight. Freight goes wherever it is routed. The present management of the Intercolonial railway seems to put considerable energy and business into the concern, and if the politicians on the north shore would only leave the management alone I have no doubt it would be made one of the paying roads in New Brunswick. Under good management I am sure it will. If the Intercolonial railway should wake up and become as energetic as the Canadian Pacific railway it can have its agents all over Canada routing freight via the I. C. R. That is a good business. No railway would get business out of its own line if it were not for the fact that they have live and energetic men looking up business, and with good management this proposed line would be a paying road.

Hon. Mr. BAIRD.

Hon. Mr. POWER—The Intercolonial railway line runs from Montreal to Moncton, and down beyond.

Hon. Mr. BAIRD—Yes.

Hon. Mr. POWER—I do not see how you could route freight on this particular line by the Intercolonial railway.

Hon. Mr. BAIRD—They could route it in this way; it would be shorter to go through to the seaport of St. John.

Hon. Mr. POWER—You would have to route it over the Grand Trunk Pacific to go to Grand Falls.

Hon. Mr. CASGRAIN—Where would it connect with the Intercolonial railway?

Hon. Mr. BAIRD—It would connect with the Intercolonial railway at Campbellton, running over the International.

Hon. Mr. CASGRAIN—Campbellton is further east than Grand Falls.

Hon. Mr. BAIRD—You touch the Intercolonial railway at St. Leonard. The government have brought down a resolution in the other House to take over the International railway. Perhaps the hon. gentleman from De Lanaudiere does not understand the geography of the country.

Hon. Mr. CASGRAIN—I do thoroughly

Hon. Mr. BAIRD—The International runs from Campbellton to St. Leonard, and to the Grand Trunk Pacific, and this line would be a much better junction at St. Leonard than at Grand Falls, and at Grand Falls it would be difficult to get connection with the Grand Trunk Pacific. You would have running rights from Grand Falls to St. Leonard and you would be connected with the Grand Trunk Pacific.

Hon. Sir GEORGE W. ROSS (Middlesex)—How many miles do you save by going to Campbellton?

Hon. Mr. CASGRAIN—It would be longer.

Hon. Mr. BAIRD—I do not know that you would save any.

Hon. Sir GEORGE W. ROSS (Middlesex) —Why would you send freights by the longer route?

Hon. Mr. BAIRD—You do that every day. It depends upon the cleverness of your agents. I have much pleasure in supporting the Bill, because I believe it would give that justice to New Brunswick which has been denied the province for some time, especially in the valley of the St. John river. I am not going to discuss the merits of what has been done in the way of railway construction with regard to the different provinces, because that has nothing to do with the present Bill. New Brunswick has done considerable for railways. They gave 1,800,000 acres of land to build a road which is now part of the Canadian Pacific railway. We built a railway from Fredericton to St. Leonard, all constructed out of local aid by the granting of lands

Hon. Mr. CASGRAIN—Why was that not built along the St. John river?

Hon. Mr. BAIRD—I could not say. They seemed to be getting away from the river.

Hon. Mr. DOMVILLE—It was a lumber road pure and simple.

Hon. Mr. BAIRD—The best part of New Brunswick has no railway, and this scheme will give the older and better part of the province a railway.

Hon. Mr. CLORAN—Is the road to be run by a company?

Hon. Mr. BAIRD—I understand the present company will operate the road. If it passes over to the Intercolonial railway it will be run by the government.

Hon. Mr. THOMPSON—I think the Senate should adopt this measure. It is a new departure. When the province is willing to recognize the railway and assume a guarantee of $25,000 a mile, it is strong evidence that the road is needed, and that the earnings of that road will take care of the enterprise.

Hon. Sir GEORGE W. ROSS (Middlesex) —If the province thought so, why would they not run it themselves?

Hon. Mr. THOMPSON—The hon. gentleman refers to what Ontario did in the construction of a road to Cobalt. They started a road and it dumped itself into a silver mine. It was not a colonization road that Ontario constructed originally. They developed a silver mine. They knew it was there, and wanted the silver and they built the road and I want to tell hon. gentlemen that so far as this section of the country is concerned——

Sir MACKENZIE BOWELL—Stick to New Brunswick.

Hon. Mr. THOMPSON—The hon. gentleman from Middlesex did not stick to New Brunswick. He alluded to what Ontario had done, and claimed that the Dominion government had not done much for Ontario. They spent millions of dollars in canals in this province which are free and maintained by Canada at the public expense.

Hon. Sir GEORGE W. ROSS (Middlesex) —That was spent before confederation.

Hon. Mr. THOMPSON—My hon. friend refers to this railway as being purely a local line. I cannot understand why. Connected with the Grand Trunk Pacific part of the system and transcontinetal lines to the winter port of St. John from the Pacific coast, it runs through the province of New Brunswick into Nova Scotia, and the hon. gentleman calls this a little local line. It seems to me it is part of a large system that ought to be encouraged so far as legislation goes, on the part of the Senate.

Hon. Sir GEORGE W. ROSS (Middlesex) —What interest will the Canadian Pacific railway have in sending freight from Grand Falls to St. John over this route?

Hon. Mr. THOMPSON—The same interest as the hon. gentleman who interrupted me, when he said, 'Will they transfer freight to go away round by Campbellton and St. John, when there is a shorter route.' His argument was they would not route freight by a longer haul to reach the point of destination. When you come to Grand Falls, you would have an easy route to the ship's side, saving 98 miles over a grade of one per cent. You could not haul the same load over the In-

tercolonial. You would have to get two or three train crews to draw that load into St. John over the present route that could be hauled from Grand Falls to St. John by one over the proposed line. My hon. friend said there would be $500,000 of a deficit on this road which a Federal government would have to meet. I think he had better get down and investigate the situation. If there is a mile of Intercolonial that can pay its running expenses it will be found in the link of the Intercolonial from Grand Falls to St. John. In reference to the cost of the equipment of the road, the Intercolonial railway has a lot of equipment that could be used on that road, and held as an asset by the Intercolonial railway, it could be used on this road and would not practically cost the country any money. I was delighted to listen to the hon. gentleman from Middlesex. If there is a man in this House who can word paint a proposition it is the hon. gentleman, and I am anxiously waiting to hear how he will philosophically paint up the other subjects of reciprocity and like matters which we will have to deal with in this House. He can touch up these questions in such a way as makes it deeply interesting to listen to; but in respect to this road he is absolutely lacking in information to make a speech on which the House can rely. As to adopting this policy, when the people of New Brunswick put their hands in their pockets and are willing to guarantee $25,000 towards an undertaking of this kind, in my judgment it should be at least a strong guarantee to this House that it is a safe investment to make. The hon. gentleman said this House and parliament would be in a measure a lessee of the New Brunswick government. If he had read the Act he would have found it was a company that is to construct this road, and he would have found that leasing this road by the Federal government was simply a proposition made between the two governments. If the province will guarantee $25,000 a mile the Dominion will assist in the working of this road, and will agree to lease it from the local government.

Hon. Sir GEORGE W. ROSS (Middlesex)—The company is the creature of the government.

Hon. Mr. THOMPSON.

Hon. Mr. THOMPSON—They are as much a company as any other private company.

Hon. Mr. MITCHELL—Is it the Dominion government or the New Brunswick government asks for this?

Hon. Mr. THOMPSON—The company that is organized for the purpose of construction came to Ottawa and interviewed this government with respect to it. It was a delegation of the company, supported by gentlemen from the government, who came to Ottawa and discussed the leasing of this line, and there is no doubt parliament is under obligations to New Brunswick in this way. The construction of that portion of the Grand Trunk Pacific in New Brunswick was indefensible, in my judgment; and if we had been in possession of all the facts in respect to it the Bill would not have been passed by parliament. But the section of country through which this projected road will run is entirely different and the obligations the province will assume in regard to it—obligations of the Dominion government—will be so small in comparison with the trade that will be developed that in five years parliament will not be called upon to pay a cent towards the support of this road; it will take care of itself. In Canada on the average it does not take over 40 per cent of the gross earnings of large sections of railway to take care of the road. It is the large trackage of railways that touch outlying districts that makes operation expensive, and the general average of the moneys earned per mile which my hon. friend refers to covers the whole system. But there are portions of all large railway systems between centres and near cities that pay $20,000 a mile in such sections. But when you take the earnings over the whole system and find how much per mile has been earned the average is reduced, by taking the outlying sections, to $7,000 to $9,000 a mile. I think the Intercolonial railway earns nearly nine thousand a mile.

Hon. Sir GEORGE W. ROSS (Middlesex)—It is about seven.

Hon. Mr. THOMPSON—That is on all its branches. There is no part of the Intercolonial railway which would pay better than the proposed line, and I am quite sure

that parliament is not taking any financial responsibility, except for the first one or two years of the running of the road. After that it will take care of itself.

Hon. Mr. POWER—The hon. gentleman spoke of the great risk New Brunswick had assumed in undertaking to contribute $25,000 a mile towards the building of the road. I gather from what the hon. gentlemen on the other side of the House (Mr. Baird) said, that there was some arrangement between the two governments before the New Brunswick Act of 1910 was passed. The arrangement set forth in this Bill is that the Dominion government will pay 40 per cent of the gross earnings as rental. Will the hon. gentleman undertake to tell me that the province of New Brunswick is running the risk of paying very much?

Hon. Mr. THOMPSON—I really do not think either government is running any great risk on this road, which in my judgment will be one of the best pieces of railway in Canada. When the province itself offers to guarantee $25,000 a mile, a larger amount than has ever been given by any provincial government, I think it is the strongest evidence that they have faith in the work, and that it is really worthy of the Dominion assuming responsibility in respect thereto.

Hon. Mr. POWER—If it is such a good undertaking, why would the big railways not take care of it, and why is it necessary to come to parliament?

Hon. Mr. THOMPSON—The same might be said of the Canadian Northern. Why is it necessary for the government to step in? The same might be said with reference to the rich province of Nova Scotia. The government propose to go into Nova Scotia and construct a line. I do not know if the hon. gentleman from Middlesex will approve of that.

Hon. Sir GEORGE W. ROSS (Middlesex)—No.

Hon. Mr. THOMPSON—Neither this government nor the government of New Brunswick will have any responsibility that will amount to anything after a few years.

Hon. Mr. CASGRAIN—About the 40 per cent, supposing that branch takes in $5,000 a mile, the rental that the government would have to pay would be $2,000. What means would they have to pay that?

Hon. Mr. THOMPSON—They would pay that towards the interest on the bonds. In so far as that is concerned, the obligation of this government would be to pay it towards the interest on the $25,000 bonds guaranteed by the provincial government.

Hon. Mr. CASGRAIN—Supposing the road worked steadily for some years without making any profit at all, where will they get the 40 per cent to pay?

Hon. Mr. THOMPSON—The province will pay it.

Hon. Mr. DOMVILLE—There seems to be quite a feeling about this matter. I did not hear the remarks of the hon. gentleman from Middlesex, which I regret, because it is interesting to hear him speak. There seems to be a misconception about this matter. I believe in calling a spade a spade and a shovel a shovel. The Grand Trunk Pacific should not have gone to Moncton. It is going through a part of the province where the lumber is all cut out. I may be wrong, but my idea is that to please both Halifax and New Brunswick that line was drawn on the map to show a direct line to Halifax as the crow flies. This road attempts to find an outlet to St. John through the valley of the St. John river, and we might call it the base of an isosceles triangle. We must face the fact that it is an endeavour to divert the trade from Quebec down to St. John that is the bottom of it, and we are proud of it. The government may be forced into it. There are all sorts of contingencies which force governments to do things they do not want to. If the local government is strong enough, what is there to prevent them constructing the twelve miles connection between Grand Falls and St. Leonard themselves? We are advancing the argument that it is a good country, and the road is going to be a paying proposition, I would suggest that that twelve miles be built at once.

But I can see floating in the air the idea that the progressive city of St. John, where the people are fed on fish, and think they have all the intelligence in this and the

other House, or a great deal of it, is going to benefit by this undertaking and become the winter port of Canada on the Atlantic. I am afraid the hon. gentleman from Halifax does not like the look of it, but you cannot turn water up hill successfully. If St. John is nearer Montreal than Halifax is, and has an open port in the winter, why should we go against nature? I remember when the Canadian Pacific railway was projected to run north of Lake Superior, we were told that there was nothing there to sustain a railway, that the country was so barren that a crow could not pick up a living there. Look at it to-day. We have not only the Canadian Pacific railway, but a second, and a third transcontinental line, and I should not be surprised if we should have a fourth very soon, extending from Chicoutimi to the west. If this road is going to help New Brunswick, we, who have been watching the great development of the northwest and are proud to think that the government of the day are bending all their energies to build up western Canada, think it is not out of place to give the people of New Brunswick a chance. Supposing this line does not pay, if it brings traffic down to our sea-ports it pays indirectly. We want our country opened up. The boom has been in the west, and people in the eastern provinces have left their farms and gone west, though you cannot find any part of the west equal to New Brunswick. Acre for acre, New Brunswick will beat anything on earth. With this line constructed, the farmers will cultivate farms near the coast, where they have not facilities now to get their products to market. When this railroad is built even though it should be a losing proposition to the country, it will build up an undeveloped part of New Brunswick and improve agricultural conditions. My hon. friend says they are going to build roads in Nova Scotia. That is all right. We do not kick at any thing that is done in the west. We do not kick at the building of a road to Hudson bay. That is all right. I have always advocated it because when we build our fleet we want to put it on the Hudson bay, where it will be safe. No enemy could get at it there. The two arguments used against this project are, first, that the road is to run to St. John, making a short cut which will be a disadvantage to Halifax, and the other is that the country has to pay for it. But it must be remembered the government of New Brunswick have to do their part. If money is lost they are guaranteeing the bonds. The only possible loss to the Dominion would be on the operation of the line.

Hon. Mr. CHOQUETTE—Is there a company formed to build that railway?

Hon. Mr. DOMVILLE—Yes.

Hon. Mr. CHOQUETTE—An incorporated company?

Hon. Mr. DOMVILLE—Oh, yes, incorporated in New Brunswick last year.

Hon. Mr. CHOQUETTE—I have before me the New Brunswick statutes of last year, and I find that a Bill was passed for the purpose of constructing this road, but there does not appear to be any company formed. I mention this to show that the hon. member from Middlesex was well within the mark when he said that this line was to be built by the government of New Brunswick. When it is leased the lease must be approved by the government of New Brunswick.

Hon. Mr. DOMVILLE—The government of New Brunswick are pledging the credit of the province to build that line. They guarantee it absolutely. The government of New Brunswick say we are not strong enough to run that road ourselves, nor can we meet possible contingencies, but the Intercolonial railway being there, they can, without extra management, so to speak, and with the same rolling stock, operate that road and relieve the local government of that operation. That is the question. We say that this road is wanted. We say in St. John we are going to have that road. We will have it or know the reason why. That road has to come if we build any roads in Canada. I congratulate the government on their wisdom in undertaking to do now what they should have done before when they were undertaking the National Transcontinental railway. They are making good what should have been made good in the first place, and helping New Brunswick to make St. John the Atlantic winter port of the Dominion.

Hon. Mr. CHOQUETTE—I have been reading the Act passed by the government of New Brunswick, and I find that it is the government of New Brunswick that is to construct the road.

Hon. Mr. THOMPSON—The government do not intend to construct the road. They intend to aid a company, and a company has been formed and elected its officers. The government will not undertake the work themselves.

Hon. Mr. CHOQUETTE—I should like to adjourn the debate in order to have all the facts before me, because I have not been able to find that any company has been incorporated to construct the road. The Act to which I have referred shows that the government of New Brunswick is itself making the survey. It may give a subsidy to a company, and the company may lease the road to the Dominion, but it must be subject to the approval of the government of New Brunswick. We have already too much government railway. I have always been in favour of selling the Intercolonial railway in the interest of the country, and I do not want the government burdened with any more railways. If it can be shown that this project is a good thing, I am open to conviction, but as the matter stands we are going to deal with the government of New Brunswick which is to build the railway. My hon. friend spoke of a sort of loop line, and it is hard to understand these things without a map. I therefore move that the debate be adjourned until to-morrow.

Hon. Mr. BAIRD—Two companies have been formed to build this line. Mr. Chestnut and other prominent gentlemen at Fredericton form one company, Mr. Chestnut being the president.

Hon. Mr. CLORAN—I rise to second the motion to adjourn the debate. The hon. gentleman from Middlesex says that this road is to be equipped, and the equipment is to be maintained by the government of Canada. Is that corerct?

Hon. Mr. THOMPSON—That is right.

Hon. Mr. CLORAN—That would be a very serious reason for me to consider an adverse vote to the Bill. I am in favour of meeting the wishes of the people of New Brunswick in regard to this road.

Hon. Mr. CASGRAIN—The hon. gentleman cannot make a speech on a motion to adjourn the debate.

The SPEAKER—The hon. gentleman is quite in order.

Hon. Mr. CLORAN—I am in favour of the principle of the Bill. What the hon. gentlemen from New Brunswick are asking from the Dominion parliament is not too much. For the past forty years they have contributed their share to the building of canals and railways for the development of this country so that anything they ask in reason I am willing to support, but if they ask that this parliament shall bind the treasury of Canada to pay for the equipment and the running expenses of the road, that is something I am against. I am for the building of the road, for paying all its preliminary expenses, but I do not think it is a proper policy for this parliament to pay instalments for equipment, or anything else. What we have to pay let us pay on capital account.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think the better course would be to go into Committee of the Whole. I have no wish to cut short the discussion, but the details of the Bill can be fully considered in Committee of the Whole to-morrow.

Hon. Mr. CHOQUETTE—We ought to have a map before us showing where the road is to be built.

Hon. Mr. BAIRD—I will lay a map on the table to-morrow.

The motion to adjourn the debate was withdrawn, and the House resolved itself into a Committee of the Whole on the Bill.

Hon. Mr. OWENS, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

The Senate adjourned until to-morrow at three o'clock.

THE SENATE.

THURSDAY, May 18, 1911.

The SPEAKER took the Chair at Three o'clock.

Prayers and Routine Proceedings.

QUEBEC CENSUS ENUMERATORS.

INQUIRY POSTPONED.

The order of the day being called:

By the Hon. Mr. LANDRY:

Is the government aware that one of the latest appointments recommended by them for the approval of His Excellency the Governor General, which His Excellency has been pleased to approve is (not the appointment of a military man duly qualified to fulfil in a worthy manner the duties of a position of honour, which was denied to him on account of the unpardonable crime of being the son of a conspicuous Conservative)—but the appointment of an ardent partisan of the present administration, first, sent to the penitentiary for an ignominous offence, who was liberated by ministerial favour, and who, still by ministerial favour is preparing to carry his shame about from house to house, in every place where the duties of his new position will give him access; in the name and as the representative of the government during the approaching census?

Shall celebrated forgers, ex-convicts and exinmates of our penitentiaries be allowed free opportunity to supersede honest people, as long as a coat of ministerial paint conceals in their eyes the sins of the past and the failings of the present?

Is it the intention of the government to keep before the public the scandal of such an appointment, which most probably would never have been consented to by the representative of the Crown, if His Excellency could have but for a moment thought that his signature confirmed the promotion to a trusted position of one who, through a glaring abuse of confidence, had been compelled to be the inmate of one of our penitentiaries?

Hon. Mr. ELLIS—Is the hon. gentleman from Stadacona proposing to make the inquiry which appears in his name?

Hon. Mr. LANDRY—The hon. gentleman had better wait and he will see. Availing myself of rule 26 of the Senate I desire to modify this question, and propose to ask:

Can the government ascertain whether one of the principal officers of the census who has just been appointed for the city of Quebec is not a person who a few years ago was condemned to the penitentiary for forgery?.

Does the government intend to impose this upon the city of Quebec?

Hon. Mr. OWENS.

I make this amended inquiry to show that the decision of our Speaker two days ago, was out of order, as it deprived me of the right under rule 26 to amend it. I am now making the amendment, which is proof that the Speaker's ruling was wrong.

Hon. Mr. CHOQUETTE—I do not know whether I am out of order; but as I will be away to-morrow I ask permission of the House to make an explanation in regard to this matter. The hon. gentleman did not mention the name of the party to whom he referred, and I do not blame my hon. friend for that; but it is very well understood in Quebec who the party is. This matter is of no interest at all outside of Quebec, and nobody will care about it, except that indirectly my hon. friend will try to throw a little mud at the government on account of the nomination. Therefore, I desire to make an explanation. It is true that among the enumerators in Quebec there appears one party who has been condemned to the penitentiary for forgery, the party to whom my hon. friend is alluding; but in the interests of justice, if not in the interests of the government, I may be permitted to make this explanation. I know the gentleman in question personally and intimately. I would not be ashamed to walk on the street in Quebec with him. He belongs to a most honourable family, having brothers and sisters of high reputation in Quebec, but he had the misfortune one day to commit what we might call legally and technically a forgery. He was brought before the court, I might say out of spite, by some one. Technically he was condemned for placing the name of another party on a note which was due to him. He paid the note and renewed it, and not being able to meet the party who was indebted to him for the amount, to whom he had sold some goods, and not being a lawyer, or man of education, he put the name of the party concerned on the note, and did the same thing with three or four other notes. He was arrested for this offence in regard to one of the notes, and he pleaded all the facts. He said: 'Here are the facts, I thought I was obliged to do this, I had to renew the note.' He renewed the note. The amount of these notes

was due to him. He had paid the notes, but the matter came before a jury, a very strong charge was made against him and he was condemned and sent to the penitentiary. At the same time there were three notes in which proceedings before the civil courts were pending, suing for the amount of the notes he had put the name on in order to collect them. A petition was sent to Sir John Thompson, Minister of Justice, to release the man, pleading his good reputation in the past, and his reputable family. The petitions were signed by prominent men in Quebec, and I am pretty sure they were signed by people on both sides of politics. One of the members for Quebec went to see Sir John Thompson and represented to him the facts as they existed. Sir John Thompson answered: 'I cannot release him, because it appears he has been condemned in the civil courts.' The member of parliament said: 'Well, you are misinformed; not only was he not condemned, but the civil courts have given judgment in his favour on three of the other notes.' Sir John Thompson said: 'If that is a fact, bring me the judgment, because it would be a miscarriage of justice, and I will release him.' The member of parliament occupying a high position in Quebec brought a copy of the judgment rendered by Judge Routhier, if I remember well, of Quebec, and showed it to Sir John Thompson, and showed that judgment was given on the three notes which were supposed to be forgeries in favour of this party, and then it was shown he had some authority to put the names on the notes, and that he was acting in good faith, although technically responsible in law for the forgery. On ascertaining these facts, Sir John Thompson gave an order to release him. The party has been in the city enjoying the best reputation, occupying a position of responsibility in Quebec, and nobody would ever think of making the accusation to his face that he was not a responsible man. I state these facts, which are absolutely correct, and I feel sure my hon. friend from Stadacona was not aware of them. Probably he has put the question in good faith, but in justice to the gentleman in question, to the city of Quebec, and to the government, I think I may be allowed, although perhaps out of order, to place these facts before the House, and the country. If my hon. friend looks at the record he will ascertain the truth of these statements, and perhaps under all the circumstances he will withdraw his inquiry, because the party in question was sent to the penitentiary under the circumstances I have stated to the Senate.

Hon. Sir MACKENZIE BOWELL—I trust that the course which has been followed by the hon. gentleman will not be regarded as a precedent. We could not very well have a more flagrant violation of the rules of parliament in putting a question. It is laid down very clearly that there can be no discussion in putting a question, unless it is framed in such a way as to allow a discussion to take place upon it. In the Commons they have not even that privilege. You can put your question, but beyond that you have no right to go. Even though the hon. gentleman were here to-morrow and the question were put to the House as notice has been given of it, he would have no right whatever to discuss it. He could only do so on a motion to adjourn, or a motion for papers. He has given us information that probably no other member of the Senate possesses. I want to impress, however, upon the Speaker and upon every member of the Senate, the desirability of preventing in future such a flagrant violation of the rule. If we allow it to be a precedent, we are opening the door to all kinds of discussions on every question that is put to the House.

The SPEAKER—I was about to stop the hon. gentleman, but everybody seemed to be in a state of expectancy and I did not care to interrupt him when it was evidently the desire of the House that the hon. gentleman should be allowed to make his statement.

Hon. Sir MACKENZIE BOWELL—I was not complaining of the hon. gentleman's speech; my only object in rising was to call attention to the violation of the rule in order that this incident may not be regarded as a precedent.

Hon. Mr. CHOQUETTE—In order to be within the rules, I am quite willing to move the adjournment of the House.

Hon. Mr. LANDRY—I do not desire to discuss the hon. gentleman's statement, but I would remind the Speaker of the House that only two days ago, without anybody raising an objection to my asking a question which stood in my name on the notice paper, he ruled me out of order.

The SPEAKER—I thought I was doing what was right on that occasion, and today I did not want to put myself in a position to do what the House would object to. I understood that the hon. gentleman (Hon. Mr. Choquette) was about to move the adjournment of the House.

THE CANADIAN COMMISSIONER AT PARIS

INQUIRY.

Hon. Mr. LANDRY inquired:

Among the applicants for the position of Commissioner at Paris, left vacant by the death of Mr. Hector Fabre, is there one answering to the name of Charles Avila Wilson? If so, what qualifications did he think himself possessed of, and what competency did he endeavour to impress upon the authorities in order to obtain the said position?

Rt. Hon. Sir RICHARD CARTWRIGHT—So far as I have been able to ascertain, no application was made by this party; but as there are several members of the Cabinet who are now absent from the country, I cannot reply with absolute certainty.

RESIDENCE OF JUSTICE LETELLIER.

INQUIRY.

Hon. Mr. LANDRY inquired:

Is the government aware that the Hon. Blais Letellier, one of the judges of the Superior Court of the province of Quebec, whose residence is fixed by his commission at Chicoutimi, within the district where he exercises his jurisdiction, has not yet seen fit to move his penates there, but that he continues to reside in Beauceville, over 250 miles from the chief place of his judicial district?

If the government has not been aware, up to this day, of the residence of the hon. judge, can it continue to ignore it in the face of the positive assertion contained in the present question, and is it its intention to inquire from the hon. judge why he does not comply with the obligations imposed upon him by his commission, while explaining to him that judges are appointed for judicial districts and not judicial districts for judges?

Hon. Mr. CHOQUETTE.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not quite certain what is the legal signification of 'penates'. It might be well that the hon. gentleman should be more explicit on that subject. Is the gentleman in question a pagan, because my reading leads me to believe that 'penates' is usually applied to deities worshiped by pagans. With respect to the second question, the attention of Justice Letellier will be drawn to the statement made in the question.

THIRD READING.

Bill (No. 103) An Act relating to steamship subsidies.—Rt. Hon. Sir Richard Cartwright.

THE SECOND CLERK ASSISTANT.

MOTION.

Hon. Mr. CASGRAIN moved concurrence in the recommendation contained in the memorandum of his honour the Speaker of the Senate re classification of the Second Clerk Assistant. He said: It will be within the recollection of the House that not long ago a somewhat similar recommendation was dealt with by the Committee on Internal Economy, and when the report of the committee came before the House it was found that the recommendation should have come from the Speaker. This time it is done according to the law and the rules, and the recommendations have been made through the proper channel.

Hon. Mr. POWER—There is likely to be some discussion on the question, and while I have no objection myself to discussing it with open doors and in the presence of every one interested, I think that the gentleman whose case is to be discussed would naturally wish to withdraw.

Hon. Mr. THOMPSON—I should like to move an amendment.

Hon. Mr. LANDRY—I suppose the hon. gentleman from Halifax will also move, that the gentleman he wishes to withdraw shall not read the report of the debate.

Hon. Mr. POWER—I think that where the conduct of any employee is under consideration, it is in every sense more de-

sirable from his point of view, and from the point of view of the body who are dealing with it, that he should not be present. Members feel freer to express their opinions in the absence of the person who is being dealt with.

Hon. Mr. LANDRY—I suppose the hon. gentleman is following the precedent he laid down when the case of the Sergeant at Arms came up?

Hon. Mr. THOMPSON—I move that this recommendation be referred to the Committee on Internal Economy and Contingent Accounts for the purpose of making a report upon it. I do not desire to be understood as expressing any opinion in respect to that memorandum, and it is no reflection on the Speaker to say that I do not think his report is quite in accordance with the Civil Service Act, where it states that the Speaker shall make a report on the recommendation from the clerk, in writing to him in a certain way; and this memorandum, as I read it, is simply a memorandum from the Speaker direct to the Senate. But apart from that, so long as this House think it advisable to appoint a standing committee on Internal Economy, I am quite sure the House itself would feel disposed to treat that committee fairly, and when we consider the application of the Civil Service Act to the other branch of parliament we can appreciate the fact that the Contingent Committee of that House acts, before the Speaker, under the Civil Service Act, makes his report to the House of Commons. By reference to the Act governing the House of Commons it will be found that there is no Contingent Committee appointed by the House itself, but that the Contingent Committee consists of an appointment made by the Governor in Council, and the Speaker is the head of that department. So that, in point of fact, the House itself, acting under the Civil Service Act of 1908, takes the recommendation of the Internal Economy Committee in respect of expenditure, promotions, salaries, and otherwise before it reaches the House itself. My hon. friend said that the Act had repealed the governing powers of this Senate, but I do not entertain any such view. I do not think we have repealed in any sense the constitutional rights of this Senate to act in respect of its domestic or internal matters, but even if we tried to follow up the provisions of the Civil Service Act, as far as they are applicable to the Senate, when the Speaker has made his recommendation it would be only proper, having regard to our constitutional rights, that this recommendation should be referred to the committee, one of the institutions called upon to govern the expenditure of this branch of parliament. In making this speech I do so without any desire to reflect on the Speaker of the Senate, and without expressing an opinion in regard to the application made by my friend the assistant clerk, who simply presents a memorial to the Speaker, and the Speaker presents the memorial with his recommendation to the Senate not in accordance with the Act as I read it, because under the Act the Clerk of the House in writing must present to the Speaker certain recommendations which the Speaker of the House will recommend to the Senate. In that view of the case, I move that this memorial be referred to the Committee on Internal Economy and Contingent Accounts.

The SPEAKER—Before putting the motion, I might be permitted to say a word or two, because I wish to get an understanding between the House and the Speaker as to what is the duty of the Speaker, and when he should act. I am not to be understood as objecting in any way to any action the House may take, but the hon. gentleman has fallen into a mistake with reference to the question of what this particular matter is. This memorandum does not make a recommendation of any promotion; it is a recommendation of a report which was made here before, and it will be found by reference to section 8 of the Civil Service Amendment Act, that there is provision made for dealing with this matter through a report from the Clerk. So that although there was laid before me a report, I did not deem it right to submit it in that way, and the clerk concurred with me in that view.

Hon. Mr. THOMPSON—I think we had a recommendation of promotion here within a week, in which the Clerk made a recommendation to the Speaker in respect of it.

Hon. Mr. CASGRAIN—That is not promotion.

Hon. Mr. THOMPSON—But we were promoting them from one class to another exactly as they are doing here.

The SPEAKER—But this is not promotion. This is rectifying a mistake. Section 8 of the Civil Service Act reads:

8. As soon as practicable after the coming into force of the Act, the head of each department shall cause the organization of his department to be determined and defined by order in council, due regard being had to the status of each officer or clerk as the case may be.

2. The order in council shall give the names of the several branches of the department, with the number and character of the offices, clerkships and other positions in each, and the duties, titles and salaries thereafter to pertain thereto.

3. After being so determined and defined, the organization of a department shall not be changed except by order in council.

That is, it shall not be changed without an order of this Senate, and that is the position in which this matter comes before us. I am submitting it to this House, and they can deal with it either directly, or can refer it to any committee they like. This clause which authorizes the change is the one which says that it shall not be changed; whatever it is, right or wrong, it shall not be changed except by resolution of this Senate.

Hon. Mr. THOMPSON—I desire to ask the Speaker a question. The section he refers to says:

As soon as practicable after the coming into force of the Act, the head of each department shall cause the organization of his department.

We acted on that and made the classification.

Hon. Mr. CASGRAIN—Erroneously.

Hon. Mr. THOMPSON—And the section further on is the section which provides the modus operandi.

Hon. Mr. LANDRY—I think the few expressions by the hon. Speaker of this House are quite in accordance with the provisions of the law; an hon. member says 'Yes, but the new classification must come after the other classification is made.' The other classification was made two years ago. Does the hon. gentleman pretend that the new classification, as it comes now will come 'before'? Certainly it comes 'after.' The law says 'After being so determined and defined, the organization of a department shall not be changed except by order in council.'

To change it, an order in council is necessary, but an order in council to change it must come in when it has been adopted, when it has been carried, so that the contention of my hon. friend falls to the ground. The classification has been adopted, and it is for the purpose of changing that classification that we have to add a motion to change it. I think that is according to law. The classification adopted in the first instance by this House, on the recommendation of the Committee on Internal Economy, has been the law up to to-day, but according to clause 8 of the Act, that classification should be changed, and the only way to change it is to have an order in council. What is an order in council as applied to this House. By clause 48 of the Act an order in council is a resolution passed by this House; so that if a resolution is passed by this House you have the necessary element to change the classification by order in council. That is what is asked to-day.

Hon. Mr. DAVID—The hon. Speaker has said that that does not deprive the Senate of the right to refer the question to any committee.

Hon. Mr. LANDRY—No, because the Senate, I understand, is always master of its own Acts; but the Senate could deal with the question immediately, or if it thinks proper, refer it to a special committee. The Senate is not obliged to refer it to a committee, and, as my hon. friend from DeLorimier pointed out the other day, I think the committee has no right to deal with this question unless it is referred to them.

Hon. Mr. DOMVILLE—Move the adjournment of the debate.

Hon. Mr. POWER—I am not going to take the ground urged by the hon. gentleman from Fredericton that the recommendation is irregular in form.

Hon. Mr. THOMPSON—No, it is not irregular.

Hon. Mr. POWER—But I say that the recommendation of his honour the Speaker is defective in substance. I think it was in 1909 that this House, on the report of the Committee on Internal Economy adopted a certain classification, and that classification may, or may not have been in every sense just according to the law, but it was ratified at any rate by a statute. Now, his honour the Speaker comes here with a recommendation made by himself, and he asks the House to change the classification which it made two or three years ago; but the hon. Speaker has not given any reason. His recommendation does not tell us why the classification should be changed; and I contend that before this House can be asked to change a classification solemnly made and embodied in an Act of parliament, we must have some reason given, and there has been no reason. His hon. the Speaker simply says that the classification was erroneous, but he does not point out how it was erroneous.

The SPEAKER—That he should have been assigned to subdivision 'A.'

Hon. Mr. POWER—That is the opinion of his honour the Speaker, that he should have been assigned to subdivision 'A.' I was a member of the committee who considered the question, I think it was in 1909, and there are several other hon. members present, the hon. gentleman from Fredericton, the hon. gentleman from Stadacona, I and several other senators in the chamber who were members of that committee, and we thought we were quite justified in doing what we did, and the mere assertion made by his honour the Speaker that we were mistaken does not make us mistaken. I contend that we were not mistaken.

The SPEAKER—It is not a mistake of fact; it is a mistake in the interpretation of the Act.

Hon. Mr. POWER—That does not alter the position. If there had been a mistake in fact, if the committee had been mistaken as to some fact, there would be much better ground for altering the classification; but his honour the Speaker contends that we were mistaken in our interpretation of the law. I contend that we were not mistaken, and as a member of this House I have just the same right to an opinion on that point as his honour the Speaker. The amendment moved by the hon. gentleman from Fredericton is that this recommendation of his honour the Speaker should be referred to the Standing Committee on Internal Economy, for the purpose of considering and reporting on it. There are differences of opinion with respect to this question. There are details that we cannot go into very well in the House, and I think it is peculiarly a case where reference should be made to the committee. The Speaker admits that the House has the right to deal with the matter forthwith, or to refer it to the committee to secure further information and for consideration. It may be said that the other day we adopted a recommendation of his honour the Speaker, but in that particular case the recommendation was simply ratifying a report which had been made a couple of days before by the Committee on Internal Economy, so that there was no reason whatever for referring that recommendation to the committee. It just means, if we adopt this line of procedure, that at any future time if his honour the Speaker, not the present Speaker necessarily, but any other Speaker, has a favourite whom he wishes to promote into another class, all he has to do is to make the recommendation and it goes without saying.

Hon. Mr. CASGRAIN—That he will get a majority of the Senate.

Hon. Mr. POWER—The uniform practice of this House has been to refer questions dealing with the staff to the committee. With respect to the law of the matter, his honour the Speaker says we made a mistake as to the law. Take section 5 of the Civil Service Act of 1908. That section says:

The first division shall be divided into sub-division 'A.'

This is the sub-division to which the Speaker's recommendation proposes that the gentleman who reads at the table shall be promoted.

The SPEAKER—Transferred.

Hon. Mr. POWER—Well, transferred. I am not going to quarrel about the exact word. The clause continues:

Subdivision 'A,' consisting of officers having the rank of deputy heads but not being deputy heads administering departments, assistant deputy ministers, and the principal technical and administrative and executive officers.

The committee did not hold that Mr. Lelievre came within that description. Mr. Lelievre's title in the list of our employees is that of 'Second Clerk Assistant.' The title of Assistant Deputy Minister only came into use since 1908. As far as I am aware, there were no assistant deputy ministers before that time; but there have been second assistant clerks. We have had in this House, as long as I have been here, a second assistant clerk. We have had the Clerk, who represents the deputy minister, and we have had the assistant clerk, who is also a deputy clerk, and we have had a second clerk assistant. In the House of Commons they have only two officers, the Clerk and the Clerk's assistant. As I understand the argument of his honour is based wholly on the fact that this officer is called second clerk assistant, and that means that he is an assistant deputy minister.

But in as much as there were no assistant deputy ministers when this officer came into being, it is clear that is not the case. My contention is that even the clerk assistant is not an assistant deputy minister, but when we were arranging this classification we found that the gentleman who was acting as clerk assistant had been a great many years in our service, that he took the place of the clerk when the clerk was absent. He was deputy clerk, and during a great part of the year he acted as clerk, and he was put into this category.

Hon. Mr. CHOQUETTE—Is the hon. gentleman speaking now on the amendment that the report be referred to the Internal Economy Committee, or is he discussing the merits of the recommendation? If we are going to send the report to the Internal Economy Committee, there is no use in discussing the merits of the report now.

Hon. Mr. POWER—His honour the Speaker gave as a reason for making the recommendation that the House had made a mistake in the classification.

Hon. Mr. CHOQUETTE—That will come up appropriately on the merits of the report.

Hon. Mr. POWER—The hon. gentleman, I presume, is anxious to take a vote before the law of the matter can be discussed. I do not think that is proper.

Hon. Mr. LANDRY—We might discuss the merits when the main motion comes up, but we are now dealing with an amendment.

Hon. Mr. MITCHELL—If we are going to discuss it here, there is no use sending it to the committee.

Hon. Mr. POWER—I simply thought it desirable to call attention to this fact, because that is the whole substance of the argument in behalf of this officer. This officer has been in our employ for something like seven years, and his salary during that time has been increased about $1,100. The gentleman was appointed as a translator. Unless I am misinformed, he was not a shining success as a translator, and he was brought to the table to read, to see if he could not be made more useful than in the other capacity, and I must say he reads very well; but that is no reason for putting him up in the same class as the very highest officers of this House. On the floor of the House of Commons there are only four officers in that subdivision, and here we have three. My point is that as much as the facts with respect to the officer have to be inquired into, and the law has to be considered, this is peculiarly a case for reference to the committee.

Hon. Mr. CASGRAIN—The hon. gentleman said first there were only two clerks at the table in the House of Commons, and

now he says there are four officers in that subdivision while we have three. I will read a list of those officers in this class in the House of Commons. They are Mr. Flint, Clerk of the House; Colonel Smith, Sergeant at Arms; Mr. J. B. R. Laplante, clerk assistant; J. R. E. Chapleau, chief clerk of French Journals; W. C. Bowles, chief clerk of English Votes and Proceedings; E. P. Hartney, examiner and registrar of Private Bills; A. H. O'Brien, law clerk; J. G. Foley, clerk of the Crown in Chancery; L. Laframboise, of the translation branch.

Hon. Mr. POWER—I spoke of the officers of the House. There are four officers in the House of Commons, and there are three here, and the hon. gentleman is now giving us the heads of the various departments.

Hon. Mr. CASGRAIN—The list I am reading is a list of officials in the House of Commons belonging to the same class. The difference in the two systems is this; in the House of Commons there are two officers at the table taking notes, and seven doing work outside of the chamber. These gentlemen are doing the work that is done here by the three gentlemen at the table. Now, if you refer to the Civil Service Act, you will find its provisions in this matter are very plain. It says that for the purpose of the Act the Speaker occupies the same position as a minister of the Crown, the Clerk of the Senate is a deputy minister, and the law says distinctly that officials who would be in class 'A' are those who have special technical knowledge to do certain work assigned to them. Now, I ask if there is a more technical branch in all the departments than the law branch. The gentleman we are now discussing is a lawyer of some 30 years standing—I have known him for more than 30 years. He was a successful lawyer when he accepted office some years ago, as he supposed temporarily. However, he has remained here. He is not only a very efficient officer, but he is also a shorthand writer, and takes down anything that requires to be noted in shorthand. He is able in that way to catch anything which may slip the others. He is well qualified in every way, and has a technical knowledge of law, and I cannot understand why he has been passed by. Evidently a mistake was made. Besides what I have mentioned, he is a translator of the law, and being translator of the law in French he must be a lawyer from the province of Quebec to know the value of the French words used in the law. I do not think any one can say that there is a more efficient servant in the Senate than Mr. Lelievre.

Hon. Mr. DOMVILLE—There is no need to make an apology here for anybody.

Hon. Mr. CASGRAIN—Now, as to the reference to the committee. If we refer this matter to the committee, all that we could get from that committee would simply be a recommendation to be accepted or rejected by this Senate. We have already one recommendation, the recommendation of the Speaker, and why do we want two recommendations for the same thing? In any case, after the committee had deliberated on this question it would have to come back here and be dealt with by a majority of the House. It is simply wasting time, or evading the issue. We should deal with the matter in the House, and I should like to have it settled now whether the gentleman is present or not.

Rt. Hon. Sir RICHARD CARTWRIGHT—I would call attention to the fact that we have several measures of great importance to consider, probably coming to us in a few minutes from the House of Commons, and one of urgency that we have to consider now in Committee of the Whole. I therefore move that the debate be adjourned.

Hon. Mr. LANDRY—Let us take a vote now, we are ready for the question.

Hon. Mr. CHOQUETTE—I would ask the leader of the government not to press his motion, but let us vote on the amendment now. Why delay it until to-morrow. The question is plain, and if the House does not want to refer it to the committee we can deal with it on its merits here.

Rt. Hon. Sir RICHARD CARTWRIGHT—No. I move that the debate be adjourned.

The Senate divided on the motion to adjourn, which was rejected on a standing vote, contents 15, non-contents 22.

The members being called in, the Senate divided on the amendment to refer the matter to the Committee on Internal Economy, with the following result.

CONTENTS:

Hon. Messrs.

Baird,	Owens,
Beith,	Power,
Bostock,	Ratz,
Campbell,	Ross (Halifax),
Derbyshire,	Ross
Domville,	(Sir George W.),
Ellis,	Scott
Jaffray,	(Sir Richard),
McHugh,	Thompson,
McKay (Truro),	Wilson (Elgin),
McMillan,	Yeo,
McSweeney,	Young—22.

NON-CONTENTS:

Hon. Messrs.

Boucherville, de,	Edwards,
Bowell	Farrell,
(Sir Mackenzie),	Forget,
Cartwright	Gillmor,
(Sir Richard),	Kirchhoffer,
Casgrain,	Landry,
Chevrier,	Lavergne,
Choquette,	Legris,
Cloran,	Mitchell,
Costigan,	Montplaisir,
David,	Roche,
Desaulles,	Tessier—22.

The SPEAKER—I vote against the amendment.

The amendment was declared lost and the original motion was agreed to on a division.

ST. JOHN VALLEY RAILWAY BILL.

REPORTED FROM COMMITTEE.

The House resumed in Committee of the Whole on (Bill 150), an Act to authorize the government of Canada to acquire, by lease, a certain line of railway in the province of New Brunswick.

(In the Committee.)

On the first clause,

Hon. Sir GEORGE W. ROSS (Middlesex) —I would call attention to the 15th line of this clause. I raised the point in the debate before the House went into Committee of the Whole, that it would be inadvisable for the government of Canada to enter into a lease with the government of a province. The statement was made in that discussion that the lease was not with the government of a province, but with a company. If hon. gentlemen will look at line 15 of this clause, they will see that while the first part of the clause indicates an intention to enter into a contract with a company, in line 15 it adds, 'With the government of the province of New Brunswick.' I take objection to that and move that the words 'with the government of the province of New Brunswick' be struck out, leaving the government of the Dominion free to make a lease with a company. I want to prevent the Dominion entering into entangling alliances with the government of a province. In confirmation of my view, clause 2 provides that the Board of Directors of any railway company with which the government proposes to enter into a contract may, with the consent of the shareholders given at a meeting, enter into a lease, indicating that full power is given in this Bill to make a contract with a company entirely irrespective of its relations with the government of the province.

Rt. Hon. Sir RICHARD CARTWRIGHT —The hon. gentleman has raised a legal point of some interest. It would be better if he would give notice that on the third reading of this Bill he would move his amendment. In that time I shall have an opportunity to call the attention of the Department of Justice to the amendment.

Hon. Sir GEORGE W. ROSS (Middlesex) —I have no objection.

Hon. Mr. CHOQUETTE—This Bill is drafted in accordance with the law passed last session by the New Brunswick legislature concerning the construction of the St. John Valley railway. In every clause of the Bill you will find the words: 'The government of New Brunswick.' Though I am opposed to the Bill, I think the hon. gentleman should look through the measure passed by the government of New Brunswick before pressing his motion. If this Bill passes without the words 'Government of New Brunswick,' it cannot be put in operation, because every clause of the law passed by the legislature of New

Brunswick last session, on which this Bill now before us is based, contains the words 'the government of New Brunswick,' and the government of New Brunswick could do nothing unless the very same wording is followed here. The lease to be made, the plans and everything must be approved by the government of New Brunswick. If the Bill is passed it must be passed as it is.

Hon. Sir GEORGE W. ROSS (Middlesex)—Do I understond the hon. gentleman to say that this contract could not be made at all if the government of New Brunswick was excluded from the bargain?

Hon. Mr. CHOQUETTE—No, but the government of New Brunswick will say it is no use. They will say that the government of Canada has passed a law which prevents us building the road.

Hon. Mr. CASGRAIN—Since we had the Bill under consideration yesterday, I took the trouble to read the 'Hansard' in the other House, also to look at the map and consider the whole question, and I find the position is much better than I supposed it was yesterday. There is a history to this road and the position is this: Mr. Hazen, Premier of New Brunswick, said to the people of New Brunswick: 'I will guarantee bonds to the extent of $25,000 a mile for the construction of this road, provided the federal government will give the usual subsidy of $6,400 a mile, and provided also that it shall be operated by the Intercolonial railway, the rental thereof being 40 per cent of the gross earnings.' I must say I was shocked at such a proposition. Since then I have found out that the Canadian Pacific railway has already leased branches of railway immediately near there on the same terms, giving to the owners of the railways as a rental 40 per cent of the gross receipts. If this Bill is passed as it is now, naturally it is a sort of compromise between the two governments, and any amendment to the Bill as the hon. gentleman from Granville (Hon. Mr. Choquette) says, would have the effect of destroying the compromise entirely. If we pass this Bill it is up to the government of New Brunswick to construct that railway.

Hon. Mr. DOMVILLE—No, no.

Hon. Mr. CASGRAIN—That is the opinion I formed.

Hon. Mr. DOMVILLE—Is this a legal opinion, or a commercial one the hon. gentleman is giving? Evidently it is a legal opinion.

Hon. Mr. CASGRAIN—I was proceeding to say that it is up to the government of New Brunswick, or the company to build that railway. When that railway is built to the standard of the National Transcontinental railway, it will be for this government, or whatever government may then be at the head of affairs to say whether or not they will take the road over as part of the Intercolonial railway. That is the whole question. This is simply enabling the company or the provincial government, one of the two, to build this road, and when the road has been built, if it is constructed up to the standard of the National Transcontinental railway, the government of Canada can lease it and operate it like the Intercolonial and pay a rental of 40 per cent of the gross earnings. That is the whole proposition as I understand it.

Hon. Mr. ELLIS—Does the hon. gentleman think the government is bound to take it?

Hon. Mr. CASGRAIN—My opinion is, the government is not bound to take it unless it fulfils all the conditions provided for in the Bill.

Hon. Mr. DOMVILLE. The statements the hon. gentleman is making are already in 'Hansard'. Why repeat them.

Hon. Mr. CASGRAIN—Therefore, I for one would be in favour of voting for this Bill as it is at present, not amending it in any way, to see whether the government of New Brunswick, or the company that they may have in view will ever build this road. I will be frank with this House and say that in my humble opinion I do not believe this road will be built by the New Brunswick government, or by any company, for a very good reason.

Hon. Mr. DOMVILLE—I cannot allow the hon. gentleman to put statements before this House if they are not correct. The government of New Brunswick do not say they will build this road. They are only giving facilities for doing so, and do not intend to build it themselves.

Hon. Mr. CASGRAIN—Therefore I do not think this government is running any risk whatever. It is doubtful in my mind whether it will be built, and I think hon. gentlemen will agree with me. This road will parallel the Canadian Pacific railway from Grand Falls to Andover and into Woodstock, back into Fredericton, and into St. John, and I understand that the people down there are satisfied with the service they are getting from the Canadian Pacific railway, and their interests are quite friendly. It is not likely, therefore, that they will build a road in competition with the Canadian Pacific railway. But by putting this Bill on the statute it will be up to the people of New Brunswick to build the road, or to say whether they will build it or not.

Hon. Sir GEORGE W. ROSS (Middlesex)—The hon. gentleman has not answered the objection I raised. I do not object to the construction of the road, but I do object to entering into a bargain with the government of New Brunswick, and not with a company. There is a company chartered by an Act of the provincial legislature and that company will be given power to construct that road, and that company will have power to issue bonds at so much per mile for its construction. Let them do so. The Canadian Northern is being built by a guarantee of the bonds of the company. We want to deal with that company and not with the government, and I need not repeat that I think it is a most dangerous precedent for this House to enter into transactions involving millions of money with a provincial government when it can be avoided.

Rt. Hon. Sir RICHARD CARTWRIGHT—Is the hon. gentleman objecting to the legality or the expediency of it?

Hon. Sir GEORGE W. ROSS (Middlesex)—The policy of it. I do not think it is illegal. I think you could enter into a bargain with a provincial government for that purpose, but I think it is impolitic and for that reason I object.

Hon. Mr. CHOQUETTE—The hon. gentleman from Rothesay (Hon. Mr. Domville) was objecting that the hon. gentleman from De Lanaudière (Hon. Mr. Casgrain) was speaking against the railway because it was in New Brunswick. I do not care where the road is built. It is not because it is New Brunswick or any other province. I object to the Bill because it is an infamous business proposition, and, moreover, for the reason given by the hon. gentleman from Middlesex, because we are entering—not merely entering, but putting this government in the hands of a provincial government, no matter whether it is New Brunswick or any other province. The company can do nothing; they cannot make a lease or equip the railway unless the government of New Brunswick pass an order in council and accept it. We are at their mercy. My hon. friend from De Salaberry (Hon. Mr. Béique) says the Canadian Pacific railway has done the same thing. It has leased a railway and it pays as rental of the gross earnings, 40 per cent. That may be true, and I am ready to vote for a measure of that kind; but have the Canadian Pacific railway given to that railway a subsidy of $6,400 a mile, and equipped it at the same time? The Canadian Pacific railway are paying about 40 per cent of the receipts of the railway, but take the railway already equipped. As matter of policy, I object to a provincial government making this bargain. I would object if it were the province of Quebec. There is not a business man in his private capacity who would make a bargain of that kind. I will ask the right hon. leader of the House a question just to show how serious it is for this government to take the railway, to pay $6,500 a mile subsidy, to pay 40 per cent of the gross earnings, and to equip the railway. Yesterday the hon. gentleman from Middlesex said the government was going to assume the cost of equipment, for which it gets nothing, and the right hon. leader of the House in reply, said the province is to deliver it fully equipped. Is that quite correct?

Rt. Hon. Sir RICHARD CARTWRIGHT —I was in error. The original bargain was that it was to be delivered fully equipped, and the House of Commons amended that. I had not observed at the moment that they had introduced the word equipment.

Hon. Mr. CHOQUETTE—The right hon. leader thinks this government ought to take this railway fully equipped. As a business proposition, this government is putting itself in the hands of the local government, is taking over a railway which is going to compete with the Intercolonial railway, which is not now able seriously to pay its expenses; is going to give $6,400 per mile to the company or the provincial government to build the railway; it is going to pay for the equipment of the railway, and then give 40 per cent of the receipts. I say that is a dangerous precedent, and is placing this government at the mercy of the local government. There are many other objections which might be made, but I am simply going to enter my protest and will not ask for a vote, simply desiring to place myself on record.

Hon. Sir GEORGE W. ROSS (Middlesex) —I called the attention of the committee to the fact that the word 'equipment' in about the 18th line should be struck out.

Hon. Mr. DERBYSHIRE—Leave that for the third reading.

Hon. Sir GEORGE W. ROSS (Middlesex) —The House will understand that the equipment of 200 miles of railway is a very serious proposition. It may be a million dollars or perhaps two.

Rt. Hon. Sir RICHARD CARTWRIGHT —What rate do you put it at per mile?

The CHAIRMAN—Is it not understood that we pass the clause with the word 'equipment' and deal with it on the third reading.

Hon. Sir GEORGE W. ROSS (Middlesex) —No. The average equipment of railways in Canada is about $10,000 a mile. It seems a very large figure, but that is the case as is shown by the railway statistics. Supposing the equipment of this road would be $5,000 a mile, it must have rolling stock.

Rt. Hon. Sir RICHARD CARTWRIGHT —I hardly think it would amount to that.

Hon. Sir GEORGE W. ROSS (Middlesex) —It is cutting the average equipment of railways in Ontario in two. $5,000 a mile would be a million dollars; but supposing it is half a million it would be a considerable sum in addition to the rental of 40 per cent which the government is to assume for operating the road. I move that the word 'equipment' be struck out. Then about the third line from the top, or the second I think there is a clerical or verbal error. In one place the word equipment is eliminated, and in the other place it is inserted. I would leave the last clause as it stands.

Hon. Mr. THOMPSON—In the House of Commons, where this matter was fully considered, where members on both sides discussed the Bill, no objection was taken to any provisions of it by members of the opposition or on the government side. They fully concurred in the measure as being not only of a character to commend itself to the House, but one which they believe the country would support.

On this question of rolling stock, the minister who ought to have some knowledge on these matters and whose opinion ought to be taken perhaps, in preference to the opinions of laymen, in matters of this kind, stated:

Mr. GRAHAM. I think there was a question as to the initial rolling stock, it being contended that we had included the initial rolling stock in this Act, while it was not contemplated in the New Brunswick legislation. Personally I am not sure that it is absolutely necessary to retain the initial rolling stock. I find that it would be such a small matter in starting the new line that it is not worth while putting it in the way of the construction of the road or of its operation.

Mr. FOSTER. The minister would be willing to strike that out?

Mr. GRAHAM. I would be willing to omit the rolling stock in order to help out the arrangement.

That statement was made to the House of Commons, and that was the business view of the situation. The members agreed to the legislation without a single dissenting voice.

Hon. Mr. POWER—There is one matter which makes the question of equipment of

considerable importance. If you look at the second subclause of the first clause, you will find that the Dominion government are authorized to take it over in sections. If the road is equipped when taken over, the government would not suffer any very serious inconvenience in operating it; but if the road is not equipped, the government have no means of getting from the Intercolonial railway, where they have equipment, locomotives, cars and so on to this new road. These sections are in the air and inaccessible from the existing Intercolonial railway, at any rate north of Fredericton. Of course when they get to Fredericton the section can be reached by the Canada Eastern.

Hon. Mr. ELLIS—I think my hon. friend raather diminishes the facilities. For instance the Intercolonial railway can reach Fredericton, and when it reaches Fredericton it can reach Woodstock running over another line. In my own province, I have been steadily opposed to the building of the various lines which have been projected through the valley of the St. John river, for the reason that I did not think New Brunswick should undertake the burden; but as in all matters of this kind, after long agitation, there did seem to be a way by which the new provincial government could build this road, or were willing to undertake it, and so one comes to find after a while that perhaps it is not useful to carry on opposition for ever. My endeavour always has been to educate the people to habits of economy, but the modes of railway building which have become so general are all powerful, and these schemes which have been long nursing eventually start out for themselves. In regard to the equipment, the other House chose to put that in the Bill, and it is not a very serious matter for the Intercolonial railway, with the large supply of material of all kinds, which is not, perhaps, the very best al ways, but very good material, to undertake to run for a time, at least, this road with the equipment it can supply. I have endeavoured to persuade people of my own province to take an economic view of this scheme, both parties in parliament concurring in the desire to build this road. I do not think it would be right for the Senate to oppose it. I hope my hon. friend will not push his motion.

Hon. Sir GEORGE W. ROSS (Middlesex)—About line 13 the Bill reads: 'As part of the railway system of Canada,' and line 30 it says: 'The said National Transcontinental railway.' Now the National Transcontinental railway is not mentioned in any other previous part of the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—The reason for that is that the reference in line 30 is to the standard to which this road is to be built. That is the only reference.

Hon. Sir GEORGE W. ROSS (Middlesex)—It would make it gramatically correct if you struck out the word 'said.'

Hon. Mr. CASGRAIN—Line four refers to the National Transcontinental railway at Grand Falls, so that it is perfectly correct.

Hon. Sir GEORGE W. ROSS (Middlesex)—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT—The standard of the National Transcontinental is a very high one, and whatever else may be said about it, it is so constructed as to make the operation of it probably very much cheaper than an ordinary railway would be. On that score, and bearing in mind the fact that the hon. gentleman from St. John has alluded to, the Intercolonial railway has a lot of second-hand locomotives, and things of that kind, which it can turn over; I think the expense of equipping the road in this case would be comparatively slight, and also—which is to be very much desired—that the expense of operating it would be less than it would be on any road of ordinary standard. As I understand, the standard to which the National Transcontinental is built is so good, the grading so low, that you can transport on it two and a half times as many cars and two and half times as great an amount of freight with the same power as you can on any ordinary road.

Sir GEORGE W. ROSS—I like the standard that is prescribed for the railway. It is very proper.

Rt. Hon. Sir RICHARD CARTWRIGHT —If it is faithfully carried out—and it will be the business of the government to see that it is—it will greatly diminish the expense of operation.

The clause was adopted.

Hon. Mr. OWENS, from the committee, reported the Bill without amendment.

BILL INTRODUCED.

Bill (No. 211) An Act respecting aid towards the construction of the Canadian Northern Ontario Railway.—Rt. Hon. Sir Richard Cartwright.

BANK ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 213) An Act to amend the Bank Act.

The Bill was read a first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill presently. He said: This is a matter of some urgency. It is merely extending the Act for another year.

The motion was agreed to, and the Bill was read at length at the table.

The Bill was then read a third time, and passed under suspension of the rules.

PENNY BANK ACT.

A message was received from the House of Commons with Bill (No. 221) An Act to amend the Penny Bank Act.

The Bill was read a first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved that the Bill be read at length at the table. He said: This Bill simply allows the Minister of Finance to give a rate not exceeding one per cent in advance of the rate paid to savings bank depositors to the penny bank depositors.

Hon. Sir MACKENZIE BOWELL—That would be four per cent.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

The motion was agreed to, and the Bill was read at length at the table.

The Bill was read a third time and passed, under suspension of the rules.

The Senate adjourned until 11 o'clock tomorrow.

THE SENATE.

FRIDAY, May 19, 1911.

The SPEAKER took the Chair at Eleven o'clock a.m.

Prayers and Routine Proceedings.

SUSPENSION OF RULES.

MOTION.

Rt. Hon. Sir RICHARD CARTWRIGHT moved:

That from this day on to the proposed long adjournment of the Senate, the following rules will be suspended in so far as Bills coming before this House may be concerned to wit:—23f, 24a, b, e and h, 63, 117 and 119.

Hon. Sir MACKENZIE BOWELL—To what extent does the repeal of these different rules carry us? Does it repeal all rules affecting the introduction of Bills of all and every character?

Rt. Hon. Sir RICHARD CARTWRIGHT —Pretty much, I think.

Hon. Mr. LANDRY—I think rule 30 renders it necessary to state the purport of the suspension.

Rt. Hon. Sir RICHARD CARTWRIGHT —We do not intend to force anything. We will rely on the good feelings of my hon. friends.

Hon. Sir MACKENZIE BOWELL—With that promise we will accept it.

The motion was agreed to.

ST. JOHN VALLEY RAILWAY BILL.

THIRD READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the third reading of

Bill (150) An Act to authorize the government of Canada to acquire, by lease, a certain line of railway in the province of New Brunswick.

Hon. Sir GEORGE W. ROSS (Middlesex) moved:

That the said Bill be not now read a third time, but that it be amended as follows:
That the words, 'and with the government of the province of New Brunswick,' in line 15, and also the words, 'to the said province of New Brunswick,' in line 21, be struck out of the Bill.

He said: Anything I can say on this matter will be largely a repetition of what I have already said. I wish simply to place on record my objection to the policy of the government being under obligation to, or in a business alliance with a province in matters that might be embarrassing in the future. Although I object to the whole measure, I do not object so much to the government entering into a contract with a company, for the operation of a road, but I do object very much to a government entering into a quasi contract, at least, with the government of New Brunswick. What complications may arise out of that I cannot say; but such a contract might be full of difficulties of a business and political character, and from the remarks made by the right hon. leader of the House yesterday, and by my hon. friend from Fredericton (Hon. Mr. Thompson), I think the position is even worse than I supposed it was. It would seem now to be probably the intention of the government to equip this road with the unused material, and perhaps rejected material, of the rolling stock, of the Intercolonial railrailway. Whether or not the province of New Brunswick will accept that as a fulfilment of the conditions of the lease remains to be seen. I would be very much surprised if they would consent to have 200 miles of railway operated by the government of Canada, with the old rolling stock of the Intercolonial railway. That raises a fresh difficulty, a difficulty which I think ought to be considered. The roadbed itself is to be equal to the standard of the Transcontinental. The operating stock and the rolling stock, and the equipment are to be the junk, the scrap iron practically of the Intercolonial railway. If the government of New Brunswick will accept that, of course it would simplify matters somewhat, and would reduce the first cost of the equipment. The old rolling stock, in its dilapidated condition, will not last so very long, and in a very short time it will have to be cast aside finally, and new rolling stock provided. However, at this stage, I rather feel that all I could hope would be to put myself on record as protesting against the Bill with this clause.

Rt. Hon. Sir RICHARD CARTWRIGHT—I might just say to my hon. friend, without entering at this stage on a further discussion of the merits of the Bill, that this is regarded by the government as a sort of treaty arrangement, and it is not in their power to accept any amendment.

The SPEAKER—The motion requires a seconder, and as there is no seconder the motion will be dropped. The question is now on the motion for the third reading of the Bill.

The motion was agreed to, and the Bill was read a third time and passed.

GRAIN GROWERS GRAIN COMPANY BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. YOUNG moved concurrence in the amendments made by the House of Commons to Bill (G), An Act to incorporate The Grain Growers Grain Company, Limited.

He said: This Bill originated in the Senate and was sent over to the House of Commons. The amendments made there are of a restrictive character, and, therefore, I think there can be no objection to accepting them now.

The motion was agreed to.

CANADIAN NORTHERN RAILWAY BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 211) An Act respecting aid towards the construction of the Canadian Northern Ontario Railway.

He said: I feel that my hon. friends would have some cause, under ordinary circumstances, to complain that this very im-

portant measure was only laid on the table last night and has to be considered in one single day, perhaps at one single sitting. I can only say that this is largely due, not to any negligence on the part of the hon. minister, but to an unfortunate circumstance which occurred, and which the House is familiar with, which for a good many days prevented that hon. gentleman from taking part in the deliberations. I know that he was anxious that this measure should have been brought up at an earlier date, and, therefore, on his behalf, I express his regret that he was not able to lay it before this Chamber at an earlier period. As it is, however, and as the facts connected therewith and the whole tenor and scope of this Bill have been fully before the country and before the House of Commons for a considerable period, and as I have no doubt that my hon. friends generally have familiarized themselves with the discussion and also with the details of the measure, I will crave the indulgence of the House in moving the second reading. The measure, in brief, proposes that we should give our guarantee for a sum of $35,000 per mile over the estimated extent of 1,000 miles, for the purpose of connecting the Canadian Northern railway in Manitoba and in the Northwest with the other branches which have been constructed by the proprietors of the road, not merely in the province of Quebec, but those also now being extended throughout the greater part of the province of Ontario, and which will ultimately connect, I believe, with a number of lines now in their hands and under their control in the maritime provinces. While the guarantee is a large one, no doubt that up to the present time, although the Canadian Northern have received a considerable number of guarantees in various quarters they have always punctually and faithfully carried out their obligations, and have, I think, without fail, relieved the guarantors from any liability, and in this case I have no doubt whatever that they will pursue an equally correct and honourable course towards the country. The merits of the undertaking are briefly these: In the first place, it will give us a through line of railway, and it will connect two very important systems of railways now existing, those that I have spoken of in the Northwest and those that I have spoken of in Quebec and Ontario, with each other, and it will likewise help, I think, to bring into immediate settlement a large tract of territory believed to be very suitable for agricultural purposes, commonly known as the clay belt. The northern portion of this great clay belt of Northern Ontario will be opened up by the Transcontinental railway. Hon. gentlemen are well aware of the facts themselves, and if they will consult the map which was recently laid on the table, they will see that this will probably aid materially in the settling of that large tract of country. It has this great advantage also, that both ends are at this present moment actively employed. I need not tell the House that the Canadian Northern is, at the present moment, conveying a large portion of the grain and produce of the Northwest, which is likely to increase very rapidly and to assume very large proportions very shortly. They are also, as my hon. friends from Ontario particularly are aware, doing very much what the Canadian Pacific railway did a considerable number of years ago, that is, developing a large system of new railways in the provinces of Ontario and Quebec. The result of all this, it is believed, will tend very considerably to produce a wholesome competition between the several systems, and the great growth of the Northwest is likely to afford ample work for all these roads to do. We could consider the details probably better as we go through the Bill in committee, but those are the main features of the undertaking. The goverment will, however, for a year or two, provide the interest on the amount to be guaranteed the company. Those are the chief points of interest in connection with this measure, of which I now move the second reading.

Hon. Mr. CHOQUETTE—Does it apply only to new roads, or to roads under construction?

Rt. Hon. Sir RICHARD CARTWRIGHT—This is the thousand miles more or less which will connect the two systems of which I spoke.

Hon. Sir GEORGE W. ROSS (Middlesex)—Has any arrangement been made for running powers with the Intercolonial

railway in order to give connection with the Canadian Northern, and our great seaports on the Atlantic coast?

Rt. Hon. Sir RICHARD CARTWRIGHT —That is largely the object the government have in view. Whether that is being fully carried out or not I am not sure. It would hardly be until the railway is more advanced, but that is undoubtedly the object that is to be attained.

Hon. Mr. POWER—This is a very important measure, and we should have a chance to see what it really is. Neither the hon. gentleman to my left, nor myself, has had a copy of the Bill, and some step should be taken to furnish copies.

Hon. Sir MACKENZIE BOWELL—The right hon. leader of the House, in moving the second reading of this Bill, has very properly called attention to the lateness of its being laid before us. We find, unfortunately, that most of these important measures, involving directly or indirectly millions of money, are brought before us without one day's notice. It is true that this question has been discussed for some few weeks in the press, but we have had no information such as would justify a deliberative body in giving its assent to so important a question as this, other than the fact, that it is intended to connect this transcontinental line with the Intercolonial railway. We had a few years ago a proposition for leasing the Drummond County railway, but there were certain conditions in that agreement which, so far as I know, have not yet been carried out. However, the first proposition was rejected, and a more favourable agreement to the company was afterwards obtained, and a large amount of money was saved. How far those conditions have been carried out in order to secure the amount of traffic from the west for the Intercolonial railway that was anticipated, I am not prepared to say. This I do know, that difficulties arose between the Grand Trunk railway and the government as to the carrying out of those conditions. What the result was, the country has not learned. Now, if the conditions imposed on the Canadian Northern in making this large guarantee, are of a sufficiently drastic character to compel that railway to hand over to the Intercolonial railway its western traffic, when it reaches Montreal, it will tend largely to justify the action of the government in guaranteeing the bonds of the company. It is true that there is a provision by which shippers may route their freight otherwise than by the Intercolonial railway. While I should like to see the government railway get all the traffic, I am not prepared to advocate a system which would compel the shipper to take that or any other route.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am very sorry that this Bill has not been distributed. If the hon. gentleman has not a copy of it before him, I may say that clauses 13 and 14 deal with that particular subject.

Hon. Sir MACKENZIE BOWELL—I have not seen the Bill, but I have read the resolution which provides that the traffic is to be handed over to the Intercolonial railway, if not otherwise directed by the shipper, and I presume the same provision is contained in the Bill itself. Now, in reference to the clay belt, I am not so confident that this line will open up such a large section as has been indicated by those who have discussed the question. I notice on looking at the map that the line runs as far south as the county of Hastings, passing through the township of Monteagle, and then southeastward. The clay belt, as far as my experience and knowledge go—and I have been over a portion of it—commences at Haileybury. I understand that it is about 40 miles wide.

Hon. Mr. CASGRAIN—About 150 miles wide at that point.

Hon. Sir MACKENZIE BOWELL—That would take it as far north as James Bay.

Hon. Mr. CASGRAIN—Not quite.

Hon. Sir MACKENZIE BOWELL—From Cochrane it is only about 50 or 60 miles to James Bay.

Hon. Mr. CASGRAIN—More than that.

Hon. Sir MACKENZIE BOWELL—The question is, how far that clay belt extends west; but it seems to me that this line cannot do much to open up the clay belt territory. The National Transcontinental railway passes through about the centre of the

clay belt in Ontario. We are in about the same position in reference to this line as we were in reference to the National Transcontinental railway when that project was submitted to parliament. I am not aware that any survey has ever been made through that portion of the country. Every senator is justified in complaining of the manner in which we are treated in reference to this very important Bill. Other Bills of equal importance will be brought before us during the day, and if we are to adjourn to-night we cannot give them the attention they demand. One of them is the proposed extension of the Japanese treaty, a very important question, and one which has agitated this country to no small extent for a number of years. I want to point out, in connection with that Bill, that the correspondence which was laid upon the table of the Commons has never been circulated among senators. Even if my right hon. friend can lay it before us to-day, we will have no time to consider it, yet we will be asked to swallow that, as we are asked to swallow the measure now before us. All the Senate has to do is to open its mouth and swallow whatever is given it without a word, and be good. My right hon. friend says that the guarantee is to be $35,000,000, but I notice from the statement made in the House of Commons that that sum will be increased provided the length of the road is increased, and there are resolutions granting another guarantee to this same company, amounting to $3,150,000, for the construction of a road from Edmonton westward. I am not finding fault with that, because I have not had an opportunity of ascertaining what part of the country it is to develop, or how far it is to be a part of this great transcontinental road.

Hon. Mr. CHOQUETTE—I feel bound to say, with all humility, that I am not in a position to deal intelligently with this Bill. It may be a good measure—I hope it is, and I have enough confidence in the government to think it is, but as a judge here I am not in a position to vote for or against it. I had the honour to be on the bench for some years, and if a party had come before me asking for a judgment under similar circumstances, I would have been inclined to punish him for contempt of court. I have not even read the Bill. It ought to be understood, in order to place us in a less humiliating position, that measures coming from the government to-day are money Bills, and let the responsibility for such measures rest on the government.

The motion was agreed to, and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

On clause 1,

Hon. Mr. POWER—I should like to know if the government can inform us what assistance, if any, this line of railway is receiving from the governments of Ontario and Quebec, or from any other source than the Dominion parliament?

Rt. Hon. Sir RICHARD CARTWRIGHT—I understand that the Ontario government is giving a considerable grant of land; I do not understand that the Quebec government is doing anything of the kind.

Hon. Mr. POWER—I am not objecting to it, but I think we ought to know what we are doing. I understand that in addition to the land grant from the province of Ontario, this company is getting a money grant from the Dominion of $6,400 a mile for a section of the road.

Rt. Hon. Sir RICHARD CARTWRIGHT—They get four thousand acres per mile from Port Arthur to Sudbury from the Ontario government, and I understand that the only money subsidy they have from the Dominion government is for a portion of the line between Montreal and Ottawa, which had been previously granted.

Hon. Mr. POWER—As I understand, the company get a grant of $6,400 a mile for that portion of their line lying between the town of Hawkesbury and Ottawa.

Rt. Hon. Sir RICHARD CARTWRIGHT—That is correct.

Hon. Mr. CASGRAIN—In lieu of paying $6,400 a mile for the thousand miles, the Dominion government gives a guarantee on their bonds, and if the company is solvent

the government will have the road built without paying anything, just as in the case of the Grand Trunk Pacific line across the prairies.

Hon. Mr. POWER—I am very glad to hear the luminous explanation made by the hon. gentleman from De Lanaudiére. He states that the company are waiving this grant of $6,400 per mile. Would the hon. gentleman be good enough to point out in this measure where that waiver is contained?

Hon. Mr. CASGRAIN—I have just been informed by the solicitor of the company that the only subsidy in money is for the section between Ottawa and Hawkesbury, and it is the usual subsidy, and had been granted heretofore. On the new part of the road, the government are simply guaranteeing the interest at three and a half per cent on $35,000 a mile, and for that they get a first mortgage on the road and on all the property of the Canadian Northern, so that I do not think the government run any risk, and I think they are making a much better bargain than if they were giving the usual subsidy.

Rt. Hon. Sir RICHARD CARTWRIGHT —In the other House, the Minister of Railways made the following statement:

There was a subsidy of $6,400 per mile for the portion between Montreal and Hawkesbury. That has not been earned, as that portion has not yet been constructed. The Quebec legislature gave it a land grant, but that has never been earned and would have to be revoked. There is none now existing.

The Ontario legislature gave for the portion of the road from Sudbury west 4,000 acres per mile.

Hon. Sir MACKENZIE BOWELL—For how many miles?

Rt. Hon. Sir RICHARD CARTWRIGHT —That would be for at least half, perhaps a little more. It would amount to about two million acres, I suppose.

Hon. Sir MACKENZIE BOWELL—I know they were very liberal; they wanted to open up that part of the country.

Hon. Mr. CAMPBELL—I understand the subsidy granted for the line between Hawkesbury and Montreal has not been earned, and, consequently, has not been paid. If the road is built it will be earned and will be paid in additon to the guarantee.

Rt. Hon. Sir RICHARD CARTWRIGHT —I understand so, yes.

Hon. Mr. CAMPBELL—And the same thing with the Quebec end?

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes.

The clause was adopted.

On clause 2, relating to security for guarantee,

Hon. Sir GEORGE W. ROSS (Middlesex) —Are the terminals of the road included in the mortgage?

Hon. Mr. CASGRAIN—Clause 14 (c) deals with that.

Rt. Hon. Sir RICHARD CARTWRIGHT —Clause 14, subsection (c) reads as follows:

That in the event of default, and of the consequent acquisition by the government, or by any railway company other than the company, of the line hereby aided, neither the company nor the Canadian Northern Railway Company will oppose any application to the Board of Railway Commissioners for Canada for an order providing for the use by the government or by such other railway company, of terminals at Port Arthur, Ottawa and Montreal, or either or any of them, owned or controlled by the company or by the Canadian Northern Railway Company, in so far as such use is reasonably necessary in connection with the operation of the said line, and on reasonable terms and compensation to be established by the said board.

Hon. Sir GEORGE W. ROSS (Middlesex) —That is merely a declaration by the Canadian Northern that it will not oppose the use by the government of these terminals, but supposing the terminals are included in bonds issued by the company for other purposes, the bondholders would have to be considered as well as the railway company that issued the bonds.

Rt. Hon. Sir RICHARD CARTWRIGHT —I suppose the commission would take that into account. The company would have no status to prevent it.

Hon. Sir GEORGE W. ROSS (Middlesex) —But the mortgage over these terminals is not as clear or as full and complete as it is over the rest of the road.

Rt. Hon. Sir RICHARD CARTWRIGHT —I presume my hon. friend is not far wrong there.

Hon. Sir GEORGE W. ROSS (Middlesex) —We want to understand where we are at. I do not like the Bill very much. We have a second mortgage over the road from Niagara to Montreal. They are now building that road and they are issuing bonds on that part of the line for its construction without any guarantee.

Rt. Hon. Sir RICHARD CARTWRIGHT —We will not meddle with that.

Hon. Sir GEORGE W. ROSS (Middlesex) —We have a second mortgage over that.

Rt. Hon. Sir RICHARD CARTWRIGHT —We have a first mortgage over a portion of the road, and we have the guarantee of the Canadian Northern over the whole.

Hon. Sir GEORGE W. ROSS (Middlesex) —But that does not apply to any part of the railway west of Port Arthur.

Rt. Hon. Sir RICHARD CARTWRIGHT —They would have to become parties to the mortgage, and would be personally bound, as far as the company could became personally bound, to the payment of the guarantee.

Hon. Sir GEORGE W. ROSS (Middlesex) —The second mortgage only applies to that portion of the road from Niagara to Montreal, but that does not apply to any portion of the road west of Port Arthur in Ontario or Manitoba.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think it does.

Hon. Mr. CASGRAIN—My information is that we have not a first mortgage on the terminals which are now being built and used; but the government has a right, if it takes over the line about to be built, to enter upon that and make full use of it and operate it as part of its own jointly with the other bondholders who rank ahead of the Government. As to the part west of Port Arthur, and as to the whole system, this is a sort of blanket guarantee over the whole system.

Hon. Sir GEORGE W. ROSS (Middlesex) —Oh, no, no.

Hon. Mr. CASGRAIN—I am informed that it is.

Hon. Mr. KERR (Speaker)—In other words, the company undertake to pay the money, and therefore it is a blanket guarantee.

Hon. Mr. CASGRAIN—Yes.

Hon. Mr. KERR—And whatever property they have would be liable and would stand behind the guarantee.

Hon. Sir GEORGE W. ROSS (Middlesex) —That was not the statement made in the House by the Minister of Railways. This Bill is so technical that one cannot grasp it in a hasty reading. Perhaps that amendment was made after the Bill was introduced, because that was not the first proposition.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, it was amended after the Bill was introduced.

Hon. Sir GEORGE W. ROSS (Middlesex) —I want to say a word about the terminus. I am still in the clouds a little bit. Let me give our own experience. We guaranteed the bonds of a road from Toronto to Sudbury. It was held, after our guarantee was given, that it did not cover the terminals in the city of Toronto, and on my retiring from office my successors claimed that they increased the security by extending the mortgage over the terminals. The mortgage over the terminals would be exceedingly valuable. The terminals in Montreal would be a valuable asset. In taking a chattel mortgage on the concern, you get everything in sight. I think in this case you should get everything in sight as security. Although the Canadian Northern is prosperous and has done well for itself and the country, we are making a business bargain with the company, and it seems to me it should be tight at every point. Perhaps my hon. friend will look into this before the afternoon sitting.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will endeavour to. We have two fairly good securities. First of all, we have the

first mortgage on this road we are guaranteeing. As to that, there is no doubt, and you will observe that that being a link between two large systems of railway, the company, so long as it remains solvent, will never dare to give it up. I think my hon. friend will admit that.

Hon. Sir GEORGE W. ROSS (Middlesex) —Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT —And remember that the Canadian Northern railway is decidedly in a prosperous condition and likely, I think, to continue so. It is very well located, and on the whole has many advantages over several of the other railways. We have its personal guarantee of the whole thing. Its personal guarantee will involve all its interests in everything it possesses, less the existing first mortgages. Those are our security.

Hon. Sir GEORGE W. ROSS (Middlesex) —Have they subrogated their interests in the land grant in Ontario, two million acres, amounting in value to five or six million dollars?

Rt. Hon. Sir RICHARD CARTWRIGHT —No, excepting so far as the Canadian Northern have an interest in it I do not think there is any specific lien on that, and I think my hon. friend will see, in dealing with that, we will come into the position he objects to so very much, of having bargains with the local government.

Hon. Sir GEORGE W. ROSS (Middlesex) —No, my hon. friend is wrong. We are dealing with a company. The company has a very substantial interest in the two million acres. I do not know whether the bonds of the Canadian Pacific cover their land grant or not. I could not say, but I will give a little of my own experience. The company to which I belong built a railway, and we took the debentures of that railway, and we took also the land grant in the province of Quebec for pulp wood, and local subsidies given by the municipalities in addition to the guarantee of our bonds, in order to make us perfectly safe. Now we are engaged in a large business transaction. The two million acres are a valuable asset.

Rt. Hon. Sir RICHARD CARTWRIGHT.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, and they add to the value of the personal security, so to speak, of the Canadian Northern. I may say without breach of the confidence imposed on me by my colleagues, that we tried to get this and could not.

Hon. Sir GEORGE W. ROSS (Middlesex) —Then the Canadian Northern will have this nest egg entirely free from all encumbrance?

Rt. Hon. Sir RICHARD CARTWRIGHT —That is quite true; but I think I may say to my hon. friend—and his experience will probably bear me out—that in constructing the line of railway from Port Arthur to Montreal it is altogether probable that the Canadian Northern will have to put their hands in their pockets to a considerable extent in order to complete it up to the standard, although I should be glad to see it built for $35,000 a mile.

Hon. Sir GEORGE W. ROSS (Middlesex) —I would not be surprised at that—for part of the road at any rate.

Hon. Mr. CASGRAIN—As to the cost of the road, I may say that I had a conversation with some of the leading officials of the Canadian Northern railway some time ago, when they described this road which is now on this map, and the intention is, from Port Arthur to Montreal, to build a road with a grade of four-tenths of one per cent going east. Now four-tenths of one per cent grade means that it quadruples the earth quantity, more than doubles the rock quantity, and it costs an enormous amount. The hon. gentleman from Middlesex built 250 miles of road when leader of the Ontario government, and he told us that that road cost in the very same country, intersecting the very same line, $15,000,000 for the 250 miles. That is $60,000 a mile.

Hon. Sir GEORGE W. ROSS (Middlesex) —$57,000.

Hon. Mr. CASGRAIN—And we are guaranteeing $35,000 a mile, consequently there will be $22,000 per mile which Mackenzie & Mann must find somewhere in order to build the road and supply the equipment.

Hon. Sir GEORGE W. ROSS (Middlesex) —The $57,000 includes the equipment. We can only speculate as to the cost of the road.

Rt. Hon. Sir RICHARD CARTWRIGHT —All our experience has been that those roads will, in all human probability, range not less than $50,000 in that country, if they are built to anything like the standard to which this is expected to be constructed. Nobody knows better than my hon. friend that one could construct a road through for a limited sum, but a road with such low grades and curvatures as my hon. friend speaks of, would be an expensive undertaking.

Hon. Sir GEORGE W. ROSS (Middlesex) —You do not provide that that is the standard of this road?

Rt. Hon. Sir RICHARD CARTWRIGHT —My impression is that this road will cost considerably more than $35,000 per mile if built up to the standard to which it is expected to be built.

Hon. Sir MACKENZIE BOWELL—I have no doubt that is correct.

Rt. Hon. Sir RICHARD CARTWRIGHT —We will deal with the curves and grades when we come to clause 7.

Hon. Sir MACKENZIE BOWELL—I think the hon. gentleman's calculation of the cost may be correct as to some portion of it; but if the clay belt country is of the character which I have seen, it is almost a dead level.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have not inspected the clay belt, but I know something of the region from Port Arthur for a considerable distance, and the expenditure there will be largely beyond the figure I have named.

Hon. Sir MACKENZIE BOWELL—I think the hon. gentleman is right.

The clause was adopted.

On clause 3, relating to the deposit of securities, and the kind of securities to be deposited,

Hon. Mr. POWER—Would the right hon. gentleman explain the meaning of clause 3?

Rt. Hon. Sir RICHARD CARTWRIGHT —The first part is plain enough, that bonds to the tune of $35,000 per mile have to be deposited. Then when it comes to the question of the release of a portion of the deposit, that would be done in proportion as the road was constructed.

The clause was adopted.

On clause 4,

4. In the deed of trust securing the guaranteed securities there shall also be included a general charge, ranking after and subject to the mortgage or general charge created by the said trust deed dated the twenty-eighth day of June, nineteen hundred and nine, and subject to the powers of further issue therein reserved or contained, upon the lines of railway of the company referred to in the third part of the said schedule, and the properties of the company thereunto appertaining.

Hon. Sir GEORGE W. ROSS (Middlesex) —At first sight I thought that second mortgage on the Hawkesbury-Niagara line was very good, and perhaps it is yet, but I observe that it is subject to the powers of further issue therein reserved or contained upon the lines of railway of the company referred to in the third part of the said schedule. Can the hon. leader of the House give us any idea of the extent of the powers of further issue?

Rt. Hon. Sir RICHARD CARTWRIGHT —They are very considerable. I regard this as being very little better than a third mortgage.

Hon. Sir GEORGE W. ROSS (Middlesex) —And I observe that clause 4 does not give what is usually called a blanket mortgage over the whole system. That is, as I understood it, on reading the debates in the Commons.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not a blanket mortgage, but a blanket guarantee over all their interests. They did not propose to give a blanket mortgage.

Hon. Mr. CASGRAIN—That is exactly it.

Hon. Sir GEORGE W. ROSS (Middlesex) —It is a third mortgage.

Hon. Mr. KERR (Speaker)—It is a second mortgage, subject to prior right.

Hon. Sir GEORGE W. ROSS (Middlesex) —My difficulty with the second mortgage is that behind it the company seem to have power to issue perhaps all the road will bear, so that our second mortgage may be practically valueless in two ways; first in the issue of securities already given by the company, and secondly, in the power which they have to issue additional security.

Rt. Hon. Sir RICHARD CARTWRIGHT —That power is limited to a certain figure. I will endeavour to get the exact amount. It is large, and this could only be regarded as a third mortgage. I do not look upon it as a very valuable asset; but it is worth having.

Hon. Mr. CASGRAIN—The government nas a second mortgage.

Rt. Hon. Sir RICHARD CARTWRIGHT —But it is a second mortgage subject to the enlarging of the first.

The clause was adopted.

On clause 5,

5. The kind of securities to be guaranteed hereunder and the forms thereof, and the form and terms of the deed of trust securing them, and the times and manner of the issue of the guaranteed securities, and the disposition of the moneys to be raised thereon by sale, pledge or otherwise, pending the expenditure of such moneys for the purposes of the line of railway so aided, and the forms and manner of guarantee or guarantees, shall be such as the Governor in Council approves, and such terms, provisions and conditions may be included in the said deed of trust as the Governor in Council deems expedient or necessary.

Rt. Hon. Sir RICHARD CARTWRIGHT —This is an important clause, and is intended to prevent the possible flooding of the market with securities bearing our guarantee at such time and in such way as might conflict with our own dealings with securities. It is an important provision and a necessary one. People might dispose of our guarantees at a rate which would injure our credit.

The clause was adopted.

On clause 7, relating to the standard of construction, bridges, trestles, culverts, &c., third paragraph,

Bridges of pile or frame trestle may be constructed over small streams which can be taken care of by culverts, such culverts to be constructed within a reasonable time after the line is put in operation, of which time the Governor in Council shall be the sole judge.

Hon. Mr. CASGRAIN—That is always done when they are constructing a road. Before they put in masonry or concrete culverts, they put in a temporary trestle. During the life of the trestle they can run the road and the inspector of the government can at any time order that the space be filled in with concrete.

Hon. Sir MACKENZIE BOWELL—It is simply a question what the government might consider a reasonable time. It has been interpreted by the Attorney General of Ontario. For instance there was a provision in the law of Ontario for the filling of an office. It was vacant three or four years, and the Attorney General did not consider that an unreasonable time. The reasonable time to fill it was when they were prepared to fill it. It is a very open question.

Hon. Mr. CASGRAIN—For the safety of the public, the inspecting engineer goes there and if he finds that the life of the trestle culvert is exhausted the company is obliged to put in a masonry or concrete culvert.

On clause 7, fixing the standard of construction,

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman, who seems to have charge of the Bill, to say a few minutes ago that the grades were to be the same as those on the National Transcontinental railway.

Hon. Mr. CASGRAIN—Yes.

Hon. Sir MACKENZIE BOWELL—The grades on the National Transcontinental going east are four-tenths.

Hon. Mr. CASGRAIN—Yes, going east, and six-tenths going west. There is a difference of one-tenth of one-per cent going east, but the line will be built actually to the standard of the National Transcontinental railway. This is simply allowing one-tenth to go on in case difficulties may be encountered, but the company think they can keep within the standard grade.

Hon. Sir MACKENZIE BOWELL—We are enacting a law, and in the enacting of

that law so long as the parties building the road comply with its provisions they will have done all they agreed to do. What I wanted to know from the hon. gentleman was whether these were the same grades as on the National Transcontinental railway, and he said a few minutes ago they were.

Hon. Mr. CASGRAIN—They are the same grades going west, but there is a difference of one-tenth of one per cent going east.

The clause was adopted.

On clause 10, relating to interest payable by the government,

Rt. Hon. Sir RICHARD CARTWRIGHT —That is a provision for the first two years' interest. The government may advance that, but in such a case the company will have to pay interest on the amount so advanced, as well as on the $35,000,000 guaranteed.

Hon. Sir GEORGE W. ROSS (Middlesex) —And the principle becomes due when the debentures become due.

Rt. Hon. Sir RICHARD CARTWRIGHT —Yes, apparently.

The clause was adopted.

On clause 13, relating to the routeing of traffic,

Hon. Sir GEORGE W. ROSS (Middlesex) —How is this clause to be enforced? Is there any penalty or forfeit for non-compliance? This is simply a declaration of good faith, and if good faith is not kept, how is it to be enforced?

Rt. Hon. Sir RICHARD CARTWRIGHT —What penalty would you suggest?

Hon. Sir GEORGE W. ROSS (Middlesex) —It is not my Bill. I am not disputing the bona fides of either the government or the Canadian Northern Company.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think we will find ways and means of enforcing it.

Hon. Mr. EDWARDS—Why is the government offering to guarantee large sums for the construction of the road, when one of the directors, at least, thereof, says that if something happens the road will be of no use.

Rt. Hon. Sir RICHARD CARTWRIGHT —I guess the party in question has had new light.

Hon. Mr. EDWARDS—Before this Bill passes its third reading, we should call upon one at least of those gentlemen to come from Toronto and explain.

Hon. Sir MACKENZIE BOWELL—There is another point in connection with the routeing of freight. Let us suppose that the freight rate from Montreal to Boston is the same as to a Canadian port; the company would be compelled under this agreement to send freight to the Canadian port; but supposing the rate from Boston to England to be less than from a Canadian port to England, then the inducement would be certainly to send the freight by way of Boston.

Rt. Hon. Sir RICHARD CARTWRIGHT —The shippers have a right to route whatever way they please, and they will take good care to look after their own interest.

Hon. Sir MACKENZIE BOWELL—The only inducement to send it by way of Boston would be that which I have pointed out, and the railway under this condition could not by any possibility interfere with the shipper.

Hon. Sir GEORGE W. ROSS (Middlesex) —Does this road come under the Board of Railway Commissioners?

Rt. Hon. Sir RICHARD CARTWRIGHT —I understand so.

Hon. Sir GEORGE W. ROSS (Midlesex) —As the Canadian Northern has a system of vessels between Halifax and Bristol, could the control of the commissioners extend beyond the railway?

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think so.

Hon. Sir GEORGE W. ROSS (Middlesex) —If that were possible—and I do know that it would be a bad provision to enact—the commission could control the freight from the west to the port of Bristol.

Rt. Hon. Sir RICHARD CARTWRIGHT —I am afraid we could not introduce clauses that would carry out the hon. gentleman's idea without making a tremendous difficulty among the shippers. It will be the interest of the Canadian Northern to send all the goods it can by its own steamship line, and I have no doubt that they will have to reduce their rates to meet the competition of Boston, or peradventure New York.

Hon. Sir GEORGE W. ROSS (Middlesex) —The reason I mention that point is, the Interstate Commission of the United States has control of the water rate when rail and steamship lines connect, and the freight on the water route is included in the through rate.

Hon. Mr. CASGRAIN—There is a clause in the Railway Act which provides that when a railway operates steamers and fixes a through rate, then the Railway Commission can intervene.

Hon. Mr. DOMVILLE—This is a burning question with us. There is a combination all over the world in carrying freight. They have taken notice of it in the United States and are trying to break it up, but unless you ship at the rate no vessel will carry it for you. I know in New Brunswick they are actually shipping goods to Boston and bringing them to St. John in order to get out of the combination. The government's attention has been called to this matter, and very soon we should legislate with regard to all these railways having steamships, and show them that they cannot control this country's freight. People bringing freight from the old country must not be at the mercy of any combination of steamship or railway lines to compel them to pay just what they choose to demand. I am very glad that this question has come up, because it will be a foundation for an argument later on.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think we had better not complicate the discussion.

The clause was adopted.

On clause 14—relating to terminals at Montreal and other points,

Hon. Sir GEORGE ROSS.

Hon. Sir GEORGE W. ROSS (Middlesex) —Why is there any necessity to negotiate with this company for terminals at Montreal, Ottawa or any other place? It is the business of the company to get its own terminals.

Hon. Mr. OWENS—There may be a railway terminal company to provide terminals for the different railways, and this clause is to cover that point. In the event of the terminal company not providing them, the Canadian Northern can do so.

Hon. Sir GEORGE W. ROSS (Middlesex) —In the event of the Canadian Northern making default, as this guarantee is to cover the terminals, how are you going to use the terminals at Montreal?

Hon. Mr. OWENS—The mortgage does not cover the terminals at Montreal.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Railway Commissioners would fix the conditions on which the terminals would be used. It would be left to their discretion to decide what would be fair. These clauses were put in chiefly with the idea that the Intercolonial railway, which now uses the Grand Trunk railway terminal, will have its own terminal in Montreal, and it would form a terminal for this Canadian Northern route also where they could exchange traffic much more easily than they could under the present conditions.

The clause was adopted.

On the schedule,

A line of railway extending from the city of Montreal in the province of Quebec, to the city of Port Arthur in the province of Ontario, excepting thereout the mileage of the lines, lying between the said points, described in the second and fourth parts of this schedule.

Hon. Mr. BOSTOCK—I understood this gave us a mortgage on the whole line. The first part of the schedule talks about the whole line, and the second part excepts the distance of two and a half miles, and the fourth part a distance of ten and six-tenths. So that we have not a mortgage on those parts.

Hon. Sir RICHARD SCOTT—They are already mortgaged. They are ranking as

second and third mortgagees on some of those portions.

Hon. Mr. OWENS—The bridge over the Ottawa river between Grenville and Hawkesbury is in that sixty-two and a half miles that will require to be rebuilt to bring it up to the standard because of the heavy grade. It is a very expensive bridge.

Hon. Mr. BOSTOCK—But in the event of the government having to take over the road, there would be a distance of 62 miles over which they would have no control. They would not be able to exercise running rights and there would be a hiatus in the line.

Hon. Mr. CASGRAIN—There are already bonds on this portion, and, consequently, the government has no mortgage on it.

Hon. Sir GEORGE W. ROSS (Middlesex) —Has it running rights over those portions?

Hon. Mr. CASGRAIN—It will have running rights concurrently with the holders of the first mortgages in case the company default.

Hon. Mr. KERR (Speaker)—It will be seen that these two parts in the schedule are referred to in clause 3 and it is provided that,—

3. The company shall deposit with the trustee or trustees of the said deed of trust, bonds or debenture stock issued under the trust deed, dated the twenty-eighth day of June, nineteen hundred and nine, made between the company and the British Empire Trust Company, Limited, and National Trust Company, Limited, (deposited in the Department of the Secretary of State of Canada, on the twenty-fourth day of August, nineteen hundred and nine), to an amount equal to thirty-five thousand dollars per mile of the line mentioned in the second part of the said schedule, and to thirty-five thousand dollars per mile of the line mentioned in the fourth part of the said schedule (being approximately two million five hundred and fifty-eight thousand five hundred dollars of such bonds or debenture stock); and the bonds or debenture stock so deposited shall form part of the mortgaged premises under the deed of trust securing the guaranteed securities; and there may be included in the last mentioned deed of trust provisions respecting the interest on the bonds or debenture stock so deposited, and respecting the return to the company (upon and after the discharge of the said trust deeds dated the twelfth day of July, nineteen hundred and six, and the twenty-fourth day of June, nineteen hundred and eight, respectively,) of the bonds or debenture stock deposited in respect of the line mentioned in the fourth part of the said schedule, freed and discharged from the mortgage or charge under the trust deed securing the guaranteed securities.

Hon. Sir GEORGE W. ROSS (Middlesex) —Is it clear that if the company make default these sections, with regard to the depositing of these securities, would come under the control of the government by virtue of the first mortgage?

Hon. Mr. KERR—Certainly, but the issue is limited to a certain amount, and by the deposit of these securities the company could not utilize the bonds to the prejudice of the government.

Hon. Sir GEORGE W. ROSS (Middlesex) —It is of great consequence, whether by virtue of the deposit of these bonds, should the road make default, the government can control these roads as part of the whole system.

Hon. Mr. KERR—These bonds are a portion of a larger issue, and it prevents the company from increasing the obligations by the deposit of the bonds in the hands of the government.

Hon. Sir GEORGE W. ROSS (Middlesex) —I am not concerned about the security; but what I am concerned about is that if the company makes default, whether the government have the right to use those portions of the road as it would any other portion of the road?

Hon. Mr. KERR—I suppose they would.

Rt. Hon. Sir RICHARD CARTWRIGHT —The worst that would befall us would be that we would have to pay interest on any prior mortgage that might exist. It requires much study to get at the true inwardness of it, but that appears to be the meaning of the clause.

Hon. Sir GEORGE W. ROSS (Middlesex) —Or we would have to build a road.

Rt. Hon. Sir RICHARD CARTWRIGHT —That is unlikely.

Hon. Mr. CASGRAIN—The company deposits $35,000 a mile as first mortgage security in respect of the second part, and gets a second mortgage charge on the same portion under section 4 of the Act.

Hon. Sir GEORGE W. ROSS (Middlesex) —I have no doubt with regard to that My doubt was entirely centred round the running rights the government would have over these portions.

Rt. Hon. Sir RICHARD CARTWRIGHT —I understand they would have running rights, but I am not absolutely positive.

Hon. Mr. CASGRAIN—The government would have concurrent running rights with the owners of the first mortgage.

Hon. Sir GEORGE W. ROSS (Middlesex) —Can the hon. gentleman tell me what are the obligations on the first mortgage?

Hon. Mr. CASGRAIN—The obligation is $35,000 per mile.

Hon. Sir GEORGE W. ROSS (Middlesex) —And if the company default would the government obtain running rights over the road?

Hon. Mr. CASGRAIN—Yes.

Rt. Hon. Sir RICHARD CARTWRIGHT —I have just received a communication from the Minister of Railways with respect to the curvature. Apparently we are right. The engineers and the department generally construe the words 'Not to exceed' that it shall not be a sharp curve. I have doubts as to the grammar of the department, but we may accept that probably as a sufficient guarantee.

The schedule was adopted.

Hon. Mr. CASGRAIN—With reference to clause 7. I would like to withdraw the amendment I proposed. I have been in communication with Chief Engineer Bowden and he says it is ambiguous and is probably not quite right. Unfortunately, the department have been erring that way for years and years, and all their forms appear with the word 'exceed.' It means that the curvature should not be sharper than that and this amendment would upset all their printed forms. I therefore move that that amendment be struck out.

The motion was agreed to, and the amendment was struck out.

Hon. Mr. LEGRIS, from the committee, reported the Bill without amendment.

Hon. Mr. CASGRAIN.

The Bill was then read a third time, and passed.

BILLS INTRODUCED.

Bill (No. 36) An Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 197) An Act to amend the Railway Act.—Rt. Hon Sir Richard Cartwright.

Bill (No. 212) An Act to amend the Water Carriage of Goods Act.—Rt. Hon. Sir Richard Cartwright.

Bill (No. 219) An Act to amend the Quebec Savings Bank Act.—Rt. Hon. Sir Richard Cartwright.

The Senate adjourned until Three o'clock.

SECOND SITTING.

The SPEAKER took the Chair at Three o'clock.

Routine Proceedings.

QUEBEC BATTLEFIELDS PARK.

MOTION.

Hon. Mr. LANDRY moved:

That an order of this House do issue for an immediate return of copy of the plan prepared by Mr. Todd, showing the works to be executed on the Quebec battlefields park, which plan accompanied the report presented to the president of the Quebec Battlefields Commission, dated November 15, 1909.

The motion was agreed to.

INQUIRY.

Hon. Mr. LANDRY inquired:

Has the Battlefields Commission started its operations, and what works have been executed by it up to date?

Rt. Hon. Sir RICHARD CARTWRIGHT —I am informed that the Battlefields Commission have purchased certain parcels of land and have prepared various plans, but have not gone further.

RECRUITING FOR THE NAVAL SERVICE.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. Has the distribution of the small posters ordered by the government, to promote the

enlisting of recruits in the naval service, been made according to a fixed method, and what is this method?

2. Was the distribution limited to cities and towns, or was it extended to rural centers with a population over a certain figure and what is this figure?

3. To whom were these posters addressed? To postmasters only? or to other persons or class of persons, and to whom?

4. How many posters have thus been distributed?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies to the hon. gentleman's questions are as follow:

1 and 2. The small posters were distributed generally throughout Canada to cities, towns and rural centres with a population of 1,000 or above.

3. To the agent of the Department of Marine and Fisheries, where available; in all other cases to postmasters.

4. 1,022.

THE CASE OF SAID GODLIEB.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the government to the following facts:

1. On November 17, 1910, Dr. Martineau, medical officer at Grosse Isle, addressed to Dr. Montizambert, director general of public health, the following telegram:

Grosse Isle, P.Q., Nov. 17.

T. Montizambert, Ottawa.

Following telegram received from Drs. Lavoie and Pagé, immigration officers, Quebec:—

Russian passenger with gastro enteritis arrived at this port to-day via SS. Royal George.' What is to be done with passenger ship and sick immigrant? The ship held pending instructions. That vessel passed here last night and this case was not reported. I am waiting instructions, and I want definite reply.

(Sgd.) DR. G. E. MARTINEAU.

2. On November 19th, Dr. Montizambert, after having viewed the patient, signed the following telegram:

Grosse Isle, Nov. 19.

Minister of Agriculture, Ottawa.

All steerage passengers and steerage stewards landed, vessel disinfected and released at 4.30. Adami's report expected to-night. Present symptoms more resemble typhoid.

(Sgd.) F. MONTIZAMBERT.

3. On November 22, 1910, Dr. Montizambert addressed to the Minister of Agriculture an official and detailed report, in which he states: The case has been a very mild one, and is now fairly convalescent; the symptoms, since the patient has been in the quarantine hospital, are more resembling typhoid, especially with regard to the morning and evening temperatures, than any other sickness.

(Sgd.) F. MONTIZAMBERT,
Director General of Public Health.

Further on, Dr. Montizambert declares to the minister that the bacteriological examination certainly indicates the existence of cholera.

4. On December 12, 1910, Prof. Adami, (without, we venture to state, affirming the fact), bacteriologist of Montreal, declares, in an official report, 'that here was not a severe and typical choleraic seizure,' but that 'here we have to deal with a cholera carrier.'

5. On December 16, in a letter addressed to Dr. Montizambert, Professor Adami expresses himself as follows:

Granting that we have a cholera carrier, the indications thus are that the vibrio is growing quietly in some of the crypts of Lieberkuhn and other folds of the mucous membrane. This habit of growth suggests strongly that we have here an organism which can be eradicated by intestinal disinfection and that at least it is deserving of trial.

6. On December 19, Dr. Martineau writes from the quarantine to Dr. Montizambert:

There is no doubt that we have to deal with a cholera carrier, as he has no other symptoms of cholera. . . . .

Also he suffers from mental derangement, and since those last five days he refused absolutely to take any medicine or food; he sleeps very little, and is very nervous. I attribute that to the loneliness, and we have to keep constantly two men to watch him.

7. On December 5, 1910, Dr. Montizambert wired Dr. Martineau as follows:

Ottawa, Dec. 5, 1910.

Dr. Martineau,
Medical Superintendent,
Grosse Ile Quarantine Station.

Steamer 'Rouville' or 'Druid' placed at Minister's (of Agriculture) disposal for necessary Grosse Isle service by Marine Department on application by going to agent at Quebec.

(Sgd.) F. MONTIZAMBERT, M.D.

8. In possession of all these facts gathered from official documents furnished to the Senate upon an order of this House, the Hon. Mr. Landry gave notice of the following inquiry to be made by him on Tuesday, 16th of the present month:

(a) What has been the cost to the country of the detention at Grosse Isle, from the month of November last up to date, of the Russian Said Godlieb, at first suspected of being affected with typhoid fever, then scientifically acknowledged to be the victim of an attack of Asiatic cholera, subsequently changed, in the very depth of winter, owing to carefully selected precedents, into a permanent source of microbes, bacilli and other murderous animalcules, lastly and still more certainly the undeniable victim of an isolation and banishment which caused the loss of his reason?

(b) What amount was more specially paid to Professor Adami, of Montreal, to Dr. Vallee, municipal bacteriologist of Quebec, and to other scientists or non-scientists who interested themselves in the case of the unfortunate man?

(c) What ships of our navy were placed at the disposal of the authorities for the transportation, at fixed dates, of the necessities of life, food for the nourishment of the inmate, and alvine evacuations to be utilized by the laboratories of science?

9. This inquiry, even before it was made, was laid aside by the Speaker, who declared that it was preceded by a preamble, and that the facts upon which it was based were open to discussion.

And inquired of the government:

(a) What has been the cost to the country of the detention at Grosse Isle, from the month of November last, up to date, of the Russian Said Godlieb?

(b) What amount was more specially paid to Professor Adami, said to be professor at Montreal, and to Dr. Vallee, said to be municipal bacteriologist of Quebec, for their professional services?

(c) What ships of our navy were placed at the disposal of the authorities in connection with the care of the one who by turns seems to have been declared affected with gastro enteritis, typhoid fever, Asiatic cholera, and who seems to be treated to-day as a cholera carrier and a victim of insanity,

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follow:

(a) $2,600.53; (b) Professor Adami, $250, Doctor Vallée, $200; (c) none.

IMPROVEMENTS ON ST. CHARLES RIVER.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. To what purposes will the sum of $625,000 mentioned in the reply to an inquiry made on May 16, in connection with the Charles river, be expended?

2. Does this sum of $625,000 include:

(a) The amount and what amount for the construction of a deep water wharf at Levis?

(b) The amount and what amount for the completion of the works actually under contract in connection with the estuary of the St. Charles river?

3. Out of this sum of $625,000, what are the amounts specially intended:

(a) For the construction of the locks on the St. Charles river?

(b) For the deepening of the St. Charles river itself, from its mouth to Bickell bridge?

Rt. Hon. Sir RICHARD CARTWRIGHT —The department replies as follow:

1. For dredging; lock and dam and wharf construction.

2. (a) No; (b) dredging, yes; wharf, no.

3. (a) If the lock and dam be adopted, the estimated cost of construction would be about $400,000.

(b) As explained in previous answer, deepening of the St. Charles river from railway bridge to Bickell bridge, will be accomplished by the construction of the lock and dam. There remains the dredging of the 15-foot channel from mouth of St. Charles river to proposed lock; the dredging of the estuary, and landing facilities on south side of the river, towards which balance of vote can be devoted.

Hon. Mr. LANDRY—I think the answer is incorrect. I did not ask what amount these works would cost. I asked what part of this sum of $625,000 is specially intended for the construction of locks?

Rt. Hon. Sir RICHARD CARTWRIGHT —I think the information is contained in the answer.

APPROPRIATIONS IN AID OF EXPOSITIONS.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. To whom will the sum of $150,000 applied for exposition purposes, by vote No. 47 of the estimates ending March 31, 1912, be granted?

2. To whom will the sum of $75,000 applied for exposition purposes by vote No. 418 of the estimates for 1912, be distributed?

3. Who will receive the sum of $100,000 applied for by supplementary estimate No. 317?

4. Who will benefit by the sum of $50,000 applied for by vote No. 60 of the estimates for 1912?

Rt. Hon. Sir RICHARD CARTWRIGHT —The replies are as follow:

1. Department of Agriculture.

2. Department of Agriculture.

3. Department of Agriculture.

4. The Regina Agricultural and Industrial Exhibition Association, Limited, Regina, Saskatchewan.

Hon. Mr. LANDRY—Who will get the money?

Rt. Hon. Sir RICHARD CARTWRIGHT —The officers of the department will expend it.

Hon. Mr. LANDRY—To whom will it be paid?

Rt. Hon. Sir RICHARD CARTWRIGHT —That is left to the department to decide.

Hon. Mr. LANDRY—But we are not in a position to know what the discretion of that department is.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not yet.

DELAYED RETURNS.

Rt. Hon. Sir RICHARD CARTWRIGHT —I may mention to the hon. gentleman from Stadacona that I am informed that the address to His Excellency with respect to petitions presented by the Board of Trade has been laid on the Table of the House. That was one of the matters he was inquiring about.

Hon. Mr. LANDRY—And the others?

Rt. Hon. Sir RICHARD CARTWRIGHT —I have not received answers to the others yet.

Hon. Mr. LANDRY—I am much interested in the others. I suppose I could not get a copy in the meantime?

Rt. Hon. Sir RICHARD CARTWRIGHT —I am afraid that would be contrary to the etiquette of the Senate; but I have called the attention of the Secretary of State to the memorandum he gave me and the Secretary is preparing a list of them with information.

Hon. Mr. LANDRY—All right. I will be more pleased in one way to get them, but I cannot complain when I see all that the hon. gentleman is trying to do to meet my views. I will come back on the 19th if God spares my life.

Rt. Hon. Sir RICHARD CARTWRIGHT —The Senate will resume on the 9th of August, but the hon. gentleman may come back on the 19th if he pleases.:

WATERWAYS COMMISSION BILL.

SECOND READING.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 36) An Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January 11, 1909.

The motion was agreed to and the Bill was read the second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee.)

Rt. Hon. Sir RICHARD CARTWRIGHT —Hon. gentlemen will observe that this Bill is confined to confirming the treaty made between our commissioners on the one side and the American Waterways Commissioners on the other, and to alloting salaries for the commissioners, and expenses.

On clause 3,

3. Any interference with or diversion from their natural channel of any waters in Canada, which in their natural channels would flow across the boundary between Canada and the United States or into boundary waters (as defined in the said treaty) resulting in any injury on the United States side of the boundary, shall give the same rights and entitle the injured parties to the same legal remedies as if such injury took place in that part of Canada where such diversion or interference occurs, but this section shall not apply to cases existing on the eleventh day of January, one thousand nine hundred and nine, or to cases expressly covered by special agreement between His Majesty and the government of the United States.

Hon. Mr. LANDRY—If the contrary arises?

Rt. Hon. Sir RICHARD CARTWRIGHT —We have the same privileges as they have.

Hon. Sir MACKENZIE BOWELL—How far does this law go, and what rights does it give either to the United States or to Canada in the governing or management of streams which take their rise in the United States and flow through Canada? Casually reading some of the debates in the House of Commons, I drew the conclusion that with regard to Milk river in the west, one of the rivers rising in Montana flowing into Canada, and then passing through portions of Canada into the United States, the United States reserved the right to itself to dam the river in that portion of it which is in the United States to cause the flow of water to run exclusively through the United States for irrigation purposes. But there is no provision of that kind, so far as I have learned, affecting the rivers and streams which take their rise in Canada, and flow into the United States.

On the contrary, if I understood the debate, and what I have read concerning the matter, the previous law prevents the diversion of the stream for irrigating or any other purposes in Canada if it interferred with the flow into or through the United States

Rt. Hon. Sir RICHARD CARTWRIGHT —I understand the object all through was that each party should have equal rights. All the powers that were conceded by one side to the other were to be conceded mutually. If the hon. gentleman will look at article 6 of the treaty he will see that the question of the Milk river is especially treated there

Hon. Sir MACKENZIE BOWELL—I understood that in the first negotiations the provisions were as has been indicated by the hon. gentleman, and I noticed that in the debate a different view was taken upon that point, and it was not controverted. It struck me at the time that if the United States have power to divert water from its natural course for any purpose, the same right should apply to Canada as it affects the Columbia river?

Rt. Hon. Sir RICHARD CARTWRIGHT —In the case of the St. Mary's river which is in a similar position, it does.

Hon. Sir MACKENZIE BOWELL—Then by the diversion of the Columbia river from its natural course where it enters into the Pacific, we might dry up that portion of the river that runs through Portland, Oregon.

Rt. Hon. Sir RICHARD CARTWRIGHT —If the hon. gentleman will read article 6, he will see that the view he originally presented is the one entertained by the commission or agreed to by the commission.

Hon. Sir MACKENZIE BOWELL—It may be, but this is another case in which we have not been afforded an opportunity of studying the treaty or the Bill itself.

Rt. Hon. Sir RICHARD CARTWRIGHT —The United States, in the case of the Milk river, have a right to acquire so many cubic feet per second of the water flow. In the case of the St. Mary river we have a similar provision for our own benefit. In all other respects such rivers are equally divided.

Hon. Sir MACKENZIE BOWELL—I should be very much surprised if in this treaty, as in most of the others, the United States had not the advantage of us in some particular or other.

Rt. Hon. Sir RICHARD CARTWRIGHT —I do not think they have in this particular matter.

Hon. Mr. DERBYSHIRE—Then we have done well.

Hon. Sir MACKENZIE BOWELL—I have not had an opportunity of reading the Bill closely, and I am only drawing an inference from what I have read in the debates in the Commons, and the newspapers.

Rt. Hon. Sir RICHARD CARTWRIGHT —While it is quite true that when the negotiators on our side were English, and on the other side United States negotiators, Canada used to come off with the very small end of the matter, but when the negotiators are half Canadians and half United States people, we have repeatedly shown that we are quite equal to them, and sometimes better, as vide the Halifax award and other cases.

Hon. Sir MACKENZIE BOWELL—I am somewhat under the impression I have heard that statement made before, and I am quite prepared to confess there is a great deal of truth and force in it. In the negotiations which have taken place where Canadians have taken part in them, Sir Charles Tupper on one occasion, and Sir John Macdonald on another, while they did not get all they should have received, they protected to a certain extent the rights of Canada as was also the case in later negotiations where other gentlemen have acted. I admit that, but I am not prepared to admit all that the hon. gentleman says, and in this particular treaty I fear they have got the better of us.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think not. However, that is a matter that would involve a very long discussion.

Hon. Mr. ELLIS—Does this cover the eastern waterways as well?

Rt. Hon. Sir RICHARD CARTWRIGHT —Not all. If you mean the St. John river, that is a separate affair.

Hon. Sir MACKENZIE BOWELL—There was some change made by the United States Senate from the original agreement entered into. Strong objections were taken

to certain clauses by Senators from Michigan, and objections were raised at that time to the treaty, and it was amended by the United States, and the amendment was accepted by Canada.

Rt. Hon. Sir RICHARD CARTWRIGHT —There was something of the kind. We rather objected to the amendment, but it was a question of allowing it to pass or losing the treaty altogether.

Hon. Sir MACKENZIE BOWELL—I thought it affected the rights of fishermen in lakes Erie and Huron.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think it had more to say to the fishing part than anything else. An amendment was brought in by Senator Stone, which was finally incorporated in the treaty as we now have it.

Hon. Sir MACKENZIE BOWELL—This is another instance of the course pursued by the United States Senate in connection with nearly all treaties negotiated with England, particularly when they affect Canada. If in any particular objections are taken and concessions asked for by which the United States is given greater power, Canada has to yield. It verifies the statement I made in the first place. If the people of the United States are not satisfied, they take exception, and, no matter how objectionable it may be to Canada, in too many cases they make amendments and those amendments are accepted by us rather than break off negotiations.

Rt. Hon. Sir RICHARD CARTWRIGHT —What my hon. friend says is quite true, but that is rather one of the defects of the United States constitution. They have practically no government as we understand it. When a treaty is agreed to by the Canadian cabinet, the cabinet agree to stand or fall by it. There is nothing in the United States system corresponding to our system of responsible government. I think ours is much the better, but there you have to deal with two or three distinct powers none of whom has authority over the other, and the Senate more particularly always proves a standing stumbling block in the way of the United States government coming to an agreement with other governments.

Hon. Sir MACKENZIE BOWELL—I am quite in accord with what my hon. friend says, but an unfortunate expression fell from the Minister of Public Works when he gave as a reason for acceding to their demands, that they were the dominant party. If we are to accept that as a basis for our legislation and government, we had better surrender to everything they ask.

Rt. Hon. Sir RICHARD CARTWRIGHT —That has not been our particular fault, nor has it been the fault of the hon. gentleman. Probably he knows as well as I do that British governments and United States governments have concurred together in thinking that Canada was an obstinate sort of a country to deal with, and they could not get their own way, either of them, without a good deal of concession to us.

Hon. Mr. WILSON (St. Thomas) from the committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

WATER CARRIAGE OF GOODS ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 221) An Act to amend the Water Carriage of Goods Act.

Hon. Mr. CAMPBELL—We passed a Bill here introduced by the hon. member from Rothesay (Mr. Domville), to amend this Act, and sent it to the House of Commons where it stands now on the Orders for second reading. Of course it cannot be reached there as it is a private Bill. The Bill which we have now before us, is a government Bill and amends the same Act. It is practically the same Bill as the one introduced by the hon. member from Rothesay. I have looked up the matter because I thought the Bill went a long way when it included all articles usually described as wood goods, and it might take in a great many things that this House would not

be willing to accept; but I find in the Merchants' Shipping Act of 1894, passed by the British parliament, that the term 'wood goods' is carefully defined. So that this Bill in including wood goods, only includes such articles as the lumberman desires to have excluded from the operation of the Act. There can be no objection to the passing of the Bill.

The motion was agreed to, and the Bill passed through its final stages.

QUEBEC SAVINGS BANK ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 219) An Act to amend the Quebec Savings Bank Act. He said: The chief object of this Bill is to extend for one year the charter of this bank as has been done in the case of other banks. It gives some small further privileges, but of no importance—simply allowing a change of the value of shares, and of the date of the fiscal year. These changes are not new, in this sense, that it is very frequently done. For instance $400, which, as I understand is the nominal value of a share, is rather a larger sum than is convenient to handle. Our general unit in the case of bank shares is $100.

Hon. Sir MACKENZIE BOWELL—I observe that by the first clause power is given for the election of officers, and it affects the qualifications. Does it increase or decrease the qualifications? I am asking for information to see how far these changes are important, or how they affect the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—That I am not prepared to say. I think on the whole, in the case of savings banks, no harm can accrue from making the directors substantially interested in the bank.

The motion was agreed to, and the Bill was read a second time.

The House resolved itself into a Committee of the Whole on the Bill.

(In the Committee).

On clause 4,

4. The directors shall be elected at the annual meeting of the shareholders, and shall be eligible for re-election, but no person shall be elected a director unless he is the holder at the time of such election of capital stock, upon which all calls have been paid, to the nominal value of ten thousand dollars.

Hon. Mr. WILSON—Will they deem it necessary that those who are to be elected should have stock to the amount of $10,000?

Hon. Mr. DERBYSHIRE—Yes. That is what they ought to have and more if they can conveniently put it in.

Hon. Mr. WILSON—The value of the shares is changed from $400 to $100. What was the amount necessary to hold to become a director before?

Hon. Sir RICHARD SCOTT—$10,000, the same amount as provided in the Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT—I am not aware of the amount formerly required, but I think, as a matter of general policy, that in the case of savings banks, more particularly, it is well that the directors should have substantial holdings. I think that adds to the security of the depositors and adds to the chance that the concern will be well managed.

Hon. Mr. LANDRY—The hon. gentleman is right.

Hon. Mr. WILSON—The trouble is that some may become responsible on a less amount of shares, and I am apprehensive that it might work an injustice to some shareholders who are now directors, if they are removed from the directorship on account of not having a sufficient amount of shares.

Rt. Hon. Sir RICHARD CARTWRIGHT—I hardly think it will do any injury.

The clause was adopted.

Hon. Mr. DERBYSHIRE, from the committee, reported the Bill without amendment.

The Bill was then read a third time and passed.

RAILWAY ACT AMENDMENT BILL.

SECOND AND THIRD READINGS.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of Bill (No. 197) An Act to amend the Railway Act.

He said: One of the main objects of this measure is, as far as possible, to diminish the danger of fires arising from carelessness of railway employees, and to require railway companies to keep an efficient staff of fire rangers and other officers of that kind in order to prevent such conflagrations.

Hon. Mr. LANDRY—If conflagrations take place, who becomes responsible?

Rt. Hon. Sir RICHARD CARTWRIGHT—Several changes have been made in the Railway Act rather increasing the liability of the railway company. Whether they have gone quite as far as they should have gone is a point that is a good deal in dispute. My own opinion is that nowadays we could go a great deal further than we did when railways were first established, and increase their liability. We have gone a good way in increasing the liability, but perhaps not as far as my hon. friend would desire. The other provisions have reference to connections between provincial and Dominion railways. It is obvious that when these cross each other it is highly desirable that further precautions be taken to prevent accidents, and arrangements made that they may as far as possible not conflict with each other in running time and other matters of that kind. These are the two principal provisions in the Bill. There is another provision that the company have imposed upon them the duty of taking care, while they are constructing railways, that cattle should not stray on their tracks, to which I presume the House will not have any objection.

Hon. Mr. LANDRY—I suppose they have the right to kill them only when the road is completed—not before that?

Rt. Hon. Sir RICHARD CARTWRIGHT—It will, at any rate, partially diminish their powers of mischief.

Hon. Sir MACKENZIE BOWELL—Do the provisions of this Act extend to the liability of the railway after the road is constructed? I understood the hon. gentleman to say that it gave better protection to the farmers and those who owned cattle while the road was being constructed.

Rt. Hon. Sir RICHARD CARTWRIGHT—I think there are provisions in the General Railway Act dealing with that point. I understand this particular section was to mend the loop hole which was supposed to occur while the roads were being constructed.

Hon. Mr. LANDRY—My hon. friend will see by the position we take in reference to the Bill the great confidence we have in his word. It is not printed, we know nothing about it, and are going to swallow it, because of the great confidence we have in the right hon. gentleman. I suppose he will appreciate that.

Rt. Hon. Sir RICHARD CARTWRIGHT—I appreciate the fact. This Bill is almost identical with a Bill from the House of Commons which is on our files. I think one or two trifling amendments were made. I am pressing this measure for one consideration; anything we can enact into law to compel the companies to keep a proper corps of fire rangers will be of very great public advantage. It is during the summer season that these fires generally originate, and if this measure is passed it will go a long way towards minimizing the danger of fire. One of the clauses reads as follows:

> They may require the company to maintain and establish a competent staff of fire-rangers, equipped with such appliances for fighting or preventing fires from spreading as the board may deem proper, and provide such rangers with proper and suitable equipment to enable them to move from place to place along the line of railway with all due speed. They may require the company to maintain efficient patrol of the line of railway and other lands in the vicinity thereof to which fires may spread and generally define the duties of the company and the said fire-rangers in respect thereof.

Then the remainder is simply as to returns which are desirable to carry that out, but hon. gentlemen will see the enacting of such a clause does go a long way towards requiring the company to adopt sufficient protection against fires arising from the engines.

Hon. Sir MACKENZIE BOWELL—I have noticed the Canadian Pacific railway have signified their intention of using crude oil as fuel for their locomotives in passing through the mountainous part of the west, and through where the road runs principally through forest, in order to avoid, if pos

sible, the recurrence of fires arising from sparks from the engine. If they adopt that principle, it will save the forests and relieve the company of a good deal of trouble and expense.

Rt. Hon. Sir RICHARD CARTWRIGHT —No doubt, and the enforcement of this clause will be a strong incentive to do it.

The motion was agreed to, the Bill was then read a second time.

The House resolved itself into Committee of the Whole on the Bill.

(In the Committee.)

On clause 1,

Hon. Mr. WILSON—In the first clause, railway, telephone, telegraph and express companies are mentioned. I desire to know if the rural telephones will be compelled to comply with the requirements of this Bill. In various parts of the provinces, farmers have established rural telephones, and it would appear to me almost unreasonable to compel them to comply with the terms of this Bill.

Rt. Hon. Sir RICHARD CARTWRIGHT —All it does is to bring them more or less under the control of the commission, which is probably for their advantage inasmuch as the commission can regulate the rules of the larger companies which have heretofore been a source of great trouble to them.

Hon. Sir MACKENZIE BOWELL—Then the Act would apply to rural telephones as well?

Rt. Hon. Sir RICHARD CARTWRIGHT —Apparently it does.

The clause was adopted.

On clause 5,

Hon. Mr. WILSON (St. Thomas). Will this enable the farmers' telephone companies to enter into an arrangement with the Bell Telephone Company. Is there power under this clause to amalgamate?

Rt. Hon. Sir RICHARD CARTWRIGHT —I should think not. That is not what the hon. gentleman would want. If they amalgamate with the larger company, they will be swallowed up completely.

Hon. Sir RICHARD SCOTT—The Board has held that connection can be made with the Bell Company for 12 months, when a new investigation is to be made.

The clause was adopted.

On clause 13,

Hon. Sir MACKENZIE BOWELL—This makes an important change in the Railway Act. There are railways that have been subsidized by both governments, and largely aided by subsidies voted by municipalities, which, after having been run for some time and found unprofitable, have been discontinued. I should like to know whether this clause goes so far as to compel those companies to operate their lines?

Hon. Sir RICHARD SCOTT—Provision is made for that particular case.

Hon. Sir MACKENZIE BOWELL—I am very glad to hear it, because in the county where I live there are some lines in that position.

Rt. Hon. Sir RICHARD CARTWRIGHT —I think that particular case was in the mind of the minister when he framed the clause.

Hon. Sir RICHARD SCOTT—The subsidy becomes a mortgage on the property.

Hon. Mr. DAVID, from the committee, reported the Bill without amendment.

The Bill was then read the third time, and passed.

NATIONAL BATTLEFIELDS AT QUEBEC BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill No. 222, An Act respecting the National Battlefields at Quebec.

The Bill was read the first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said: This Bill ratifies the acquirement of a property or two in the neighbourhood

of Quebec by the National Battlefields Commission. It gives them power to expend the funds which they now hold.

The motion was agreed to, and the Bill passed through its final stages.

TREATY WITH JAPAN BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill No. 224, An Act respecting duties of Customs on importations from Japan.

The Bill was read the first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said: For a short time we extend the treaty as we now have it. That is the main object of the Bill, and to provide that there shall be no discriminating duties levied against us. The extension is for two years. The Act is not to be brought into force unless and until the Governor in Council is satisfied that no other or higher duties are or will be imposed, and prohibitions are or will be maintained so long as this Act remains in operation on any article the product or manufacture of Canada.

Hon. Sir MACKENZIE BOWELL—There is no reference in this Bill to immigration from Japan.

Rt. Hon. Sir RICHARD CARTWRIGHT —Not in this Bill. That, my hon. friend, is aware, is a matter of understanding between the two governments and is not in any formal treaty.

Hon. Sir MACKENZIE BOWELL—There is an understanding with the government of Japan that they will limit emigration from Japan. That is not satisfactory.

Rt. Hon. Sir RICHARD CARTWRIGHT —It is the best we can do.

Hon. Sir MACKENZIE BOWELL—Unless you abrogate the treaty altogether. A mistake was made by the present government in becoming a party to that treaty without taking exception to the clause which gives Japan the right to send its people into all parts of the British Empire. The Postmaster General's agreement with the Japanese government is that they are to restrict the number of Japanese who may leave their country, and they control the situation. We have no power to say who shall or shall not come into Canada. In any renewal of the treaty I hope care will be taken to give Canada control in that matter. What we desire in this country is the right to say what class of people shall be admitted within our borders. I do not go so far myself as many people in the western provinces do in desiring to prevent a certain class of people coming into Canada, but there is a principle involved which should not be lost sight of, and that is that Canada should maintain the right to say who shall and who shall not be admitted into the Dominion. When the treaty is renewed two years hence, if the right hon. gentleman should be in power, I hope he will look into that question and if another party should be in power I shall take care to call their attention to it.

Rt. Hon. Sir RICHARD CARTWRIGHT —I agree in great part with what the hon. gentleman says, but as matters stand we find that the Japanese government have very honourably carried out their agreement with us, and I have no doubt during the short period this Bill covers they will continue to do the same.

The motion was agreed to and the Bill passed through its final stages.

FOREST RESERVES AND PARKS BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 85) An Act respecting Forest Reserves and Parks.

The Bill was read the first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said: There does not seem to be any special change in this, but if hon. members wish to have the Bill stand I shall not press it. I will give the House a short résume of the measure. The first six clauses are not changed, except a few words which are in brackets, which show that the parks, as well as what are known as for-

est reserves, are included. The seventh clause allows us to get lands by exchange. Heretofore we had power to acquire them in various ways. We can now acquire them in any way. Clauses eight, nine and ten are just as they were.

Hon. Sir MACKENZIE BOWELL—Is the mode of obtaining reserve lands for the extension of a park changed?

Rt. Hon. Sir RICHARD CARTWRIGHT Yes. The Bill deals with reserves as well as ordinary parks.

Hon. Sir MACKENZIE BOWELL—Does it mean Indian reserves?

Rt. Hon. Sir RICHARD CARTWRIGHT —All reserves I think, and especially forest reserves. It is not in the least likely that a park will be established in an Indian reserve; portions might be detached, but only in rare cases. A few words are introduced in the eleventh clause:

> Nothing in this Act shall affect or prejudice any right or interest heretofore acquired under any lease or license for cutting timber or for any other purpose in respect of lands in a reserve.

That is giving special protection to existing interests and no more. In clause twelve there is no change. In the next clause the change is that railway companies pay one-half the cost of fire patrol—a reasonable provision. Clause fourteen is of importance and substantially new. It is intended to allow forest rangers to arrest and bring before justices of the peace parties who are guilty of violation of the forest regulations, and that appears to be necessary in the interests of the community. Clause 15 refers to lands which are withdrawn from reserves for railway purposes. Occasionally, a railway may cross a forest reserve. Clause 16 gives the Governor in Council power to make regulations. Clause 17 gives the Governor in Council authority to establish parks within reserves and to make regulations. Clauses 18, 19 and 20 remain. The Bill looks a little long, for the simple reason that they have reprinted the whole Act in place of introducing an amendment.

The motion was agreed to, and the Bill was read the second time.

Rt. Hon. Sir RICHARD CARTWRIGHT.

The House resolved itself into committee of the Whole on the Bill.

(In the Committee.)

Hon. Sir GEORGE W. ROSS (Middlesex) —This is an important Bill, and I have not had a chance to look at it. If there is nothing urgent about it, I think it would be only fair to let it stand over.

Hon. Sir RICHARD SCOTT—The provisions are all in the right direction.

Rt. Hon. Sir RICHARD CARTWRIGHT —I will not press it if any hon. member objects. It is only in case of public urgency that I would adopt the line I have adopted.

Hon. Sir GEORGE W. ROSS (Middlesex) —When the case was urgent I yielded, but if this is not urgent I think the Bill should stand.

Hon. Mr. POWER—I trust the hon. gentleman will not persist in his objection, because we have already had some fires this summer, and last summer there was immense destruction of forest in various parts of the country. The only object of the Bill is to enable the government to do more than they have been doing in the past in the way of preventing these fires. With regard to the distribution of Bills, I do not undertake to blame the Printing Bureau, and do not altogether blame the Commons, but my experience has been that the work of placing the Bills on our files has not been done in a satisfactory way. In many cases, my hon. friend on my right will have a Bill on his file, and it will not be on my file. The hon. gentleman on my left may have that Bill on his file. I think the officer who makes up the files should be a little sterner than he has been in the past. I do not know whether the pages are to blame, or the Commons, or the distribution office.

Hon. Mr. ELLIS—When the Bill came in I read it, and when the proper time came I thought I would endeavour to call the attention of the House to the injustice a measure of this kind imposes on a province which has no public lands belonging to the Crown; that is to say, government lands.

They are compelled to contribute to the support of these parks throughout the country. I do not object to the parks in the slightest degree; but we cannot all go where these parks are. We have to keep them up, and I thought I would endeavour to present the claims of the maritime provinces to have parks. I am quite sure the government of New Brunswick would be willing to sell to the Dominion such lands as would be necessary to make the parks, and the same privileges should extend to all the provinces of Canada. The whole object now is to increase the attraction of the west and to develop the west as against the east. It must strike every one, particularly those coming from the province in which I live, that the development, notwithstanding the industry of the people, and all their efforts, is not productive of as much benefit to them as we could wish, and that consequently a large number of people are leaving the maritime provinces and going out west. Perhaps they want to live in the vicinity of these parks. I think the whole matter ought to be considered by the government in a more generous spirit than is done by the Department of the Interior now, and another principle should prevail altogether, that if parks are given to one part of Canada they should be given to all.

Hon. Sir MACKENZIE BOWELL—I would suggest that a hundred copies of this blue print map should be made in the same type for distribution in the Senate. The only additional expense would be the press work. It could be done in an hour, and it would obviate the difficulty we are experiencing to-day. Questions of this character must be considered from a Dominion standpoint, and there is scarcely any law that is passed that does not affect one section of the country to a greater extent than it does another. Therefore, while we are dealing with questions of this magnitude I do not think the question of locality should be considered at all. It is only a matter of a few dollars, anyway.

Hon. Mr. CAMPBELL—The House is treating the Senate in a most contemptible way, and I think it is treating the right hon. leader of the House very badly. The idea of so many important Bills being placed in his hands with the expectation that he can put them through in one day, is ridiculous. Protests have been made against Bills being brought down the last days of the session. There is only one remedy, and that is to throw them out and let Mr. Oliver or Mr. Government, whoever has charge of them, present them to the Senate in time to be considered.

The SPEAKER—The Senate is not obliged to adopt these Bills now. The session is not over. It is a question with us to determine whether we shall adopt them or leave them over until we meet again. It is only a question of the public convenience. Mr. Oliver, for the last month or more, has been struggling to get this Bill before the House of Commons. If for one reason or other members bring forward other questions and occupy the time of the House of Commons, it simply means delay caused by gentlemen who think what they have to bring forward is of more importance than public business like this. It is hardly fair that the minister or the government should be held responsible for the present condition of affairs, particularly as we are not proroguing. Because we are in a hurry to get away we must not blame the government for not bringing these Bills down sooner.

Hon. Mr. CAMPBELL—How many Bills have we passed through three readings to-day?

The SPEAKER—The House was not obliged to if objection had been taken. The right hon. gentleman said repeatedly that he would not press the Bill, and there is no reason why we should not come back next week and deal with this measure. If it is passed now, it is for our own convenience. We do it because the Commons have got through their Bills, and we are dealing with these measures in a summary way. I have no doubt the Bills are all right, but I do not think we should complain simply because we are in a hurry to get away that they have not been brought up in time.

Hon. Mr. POWER—I should like to suggest that we have not the practice here that they have in the United States. There

the Senate may keep on sitting after the House of Representatives has ceased to sit, but that is not the practice here. His honour the Speaker seems to think that the Commons can go home and we can sit on, but that has not been the practice.

Hon. Sir MACKENZIE BOWELL—It is something unusual for the Speaker to descend from the Chair to read the Senate a lecture as to what they should or should not do. The hon. gentleman says, among other things, that we could have objected to want of notice. I thought that myself, but it struck me if I had objected to the motion he made, it would have been considered discourteous on my part to the right hon. leader of the House, and for that reason I did not do it. We all knew what our privileges were before the Speaker read us that lecture. I quite agree with him in this respect. Our duty would have been in the case of these contentious Bills, which are not of such vital importance as to necessitate immediate action without knowing what we were doing, to object to them and ask to have them put over, as the right hon. leader of the House very courteously offered to do. From the explanation he gave of the Bill, it struck me as an improvement, but I can understand, with the hon. gentleman from Middlesex, that there may be important differences between the law as it stands to-day and this Bill, and consequently, he and others would like to have an opportunity to compare the two and see what the differences really are. The suggestion has been made by the right hon. leader of the House to let the Bill stand, and it might as well stand.

Hon. Mr. JAFFRAY—I quite agree with what the hon. gentlemen from Middlesex and York have said, but I should regret very much if this Bill were the one to be held over. We all know that it is a very important and a very necessary measure. We have had an immense amount of our forests destroyed by fire, and this is just the beginning of the season when forest fires occur. If any misfortune should happen, it would reflect very decidedly on us. I do not think the practice of holding back Bills in the other House, and then asking us to pass them in a hurry can be too strongly condemned, but we must be judicious as to the Bills upon which we mark our disapproval. I am sure that the right hon. leader of the House will do everything in his power to have proper representations made after what has occurred to-day——

Rt. Hon. Sir RICHARD CARTWRIGHT —I may say that I have done so.

Hon. Sir GEORGE W. ROSS (Middlesex) —If the right hon. leader of the House considers this an urgent Bill, I withdraw my objection. I would not be disposed to block the Bill even if I felt able to do so, but I must repeat, even in a stronger way than I have, that we should remain over to discuss Bills which we have not yet seen and cannot see to-day. Take the treaty with Japan, a very important Bill. We had almost an international trouble with Japan over the treaty of 1904. I do not know how far this Bill gets over that difficulty. I accept it, as I am always disposed to accept a measure coming from the government, having confidence in them, but I cannot be a cypher altogether. I remained over to-day in order to see these Bills. I hope the right hon. leader of the House will spare us this suffering and annoyance hereafter as long as he is leading the Senate.

Rt. Hon. Sir RICHARD CARTWRIGHT —As far as I can I shall endeavour to see that this does not occur again. Of course, hon. gentlemen will understand that this particular year we have been rather between, I was going to say the devil and the deep sea, but that might be construed into high treason, inasmuch as I cannot compare the coronation of the Sovereign to either of these dangers or personages. Under ordinary circumstances, I would have insisted upon my colleagues not hurrying the Senate, but hon. gentlemen are aware that the session has been unusually prolonged, and that under the peculiar conditions that prevail we have been in a manner forced to bring it to a close that we might resume at some reasonable time with the important measure now under discussion, I shall take care that the remarks which have been made are duly conveyed

to my colleagues, inasmuch as I thoroughly concur in thinking that the Senate should not be asked to put these measures through without fuller notice than has been given. As to this particular Bill, I am in the hands of my hon. friends. As far as my information goes, the changes are in the public interest. It is a long Bill, but a great portion of it is simply re-enacting provisions of the existing law. The amendments introduced are wholly in the direction of preventing in some cases the risk of fire, and in others of providing for a more convenient extension of our forest reserves, both objects that my hon. friends will concur in thinking desirable.

The motion was agreed to, and the Bill passed through its final stages.

THE ROYAL ASSENT TO BILLS.

Hon. Mr. POWER—I propose to say a few words on what may be deemed a matter of privilege. I understand that His Excellency is not at the present time in the city, and, consequently, the remarks I am about to make are, perhaps, a little out of place; but on the last occasion when Bills were assented to His Excellency was in the city, and instead of coming himself to give the Royal assent, he deputed the Deputy Governor General to come. Now, that is a practice which has not prevailed in the past. Under former governors, if the Governor General was absent fishing at Cascapedia, or out in British Columbia, his deputy came; but if the Governor General was in the city he came and assented to Bills himself. Considering that assenting to Bills is, on the whole, the most important part that the Governor General has to play in Canada, I think it is desirable, at any rate when he is in the city, that he should come here. Our parliament is composed of the two Houses and the Governor General for the time being. Each one of these branches of parliament should show a proper amount of respect for the other branches. Suppose, we will say at the prorogation, that when the Black Rod goes down to the House of Commons to summon them to attend here, instead of sending up the Speaker they were to send the Deputy Speaker, that would be looked upon as showing a want of respect to the other two branches of parliament—to His Excellency and the Senate. If the Senate, when a message was to go to the House of Commons were, instead of sending the gentleman Usher of the Black Rod, to send the doorkeeper, it would be looked upon as a highly improper thing. This House deserves to be shown every reasonable respect in its character as one of the three branches of parliament. That is one of the reasons why I regret the incident which occurred the last time the Bills were assented to, and the other is this; I am a very strong believer in British connection, I should very much regret that the present practice of having the Governor General come from England should be discontinued. I am altogether opposed to the idea of our becoming independent and separate from the mother country. The connection which now exists is not any too strong, and I should regret that anything should be done which would tend to weaken the silken tie that binds us to the mother country. The fact that the gentleman who represents the Crown here apparently is desirous of showing that he is not necessary, and that we can get a chief justice, or an associate justice of the Supreme Court who will discharge his most important function just as well as he does, is really doing a good deal to teach the people of this country that we do not need a Governor General from England. From that point of view, it is to be hoped that future Governors General will do, as was the practice formerly, and will, unless absent from the seat of government, make it a point to do what I consider their duty as one constituent of parliament.

Rt. Hon. Sir RICHARD CARTWRIGHT My hon. friend is, perhaps, a little too severe with his Excellency.

Hon. Mr. POWER—I do not wish to be understood as reflecting on His Excellency. I simply think he has made a mistake, and we should enter a protest.

Rt. Hon. Sir RICHARD CARTWRIGHT —There is a material difference between an adjournment and a prorogation. Unless my memory is entirely at fault, I think

that in Great Britain the Sovereign does as a rule, or very frequently, delegate the adjournment of the House, where such a thing occurs, to commissioners equivalent to our deputy governor.

Hon. Mr. POWER—I am not questioning that; but that has not been the practice here.

Rt. Hon. Sir RICHARD CARTWRIGHT—The English practice, of course, is the practice by which we govern ourselves, and His Excellency represents the Sovereign you will remember, and is, I think, justified in doing as the Sovereign would do in like cases. But there are two sides to this question, and one side is this: to a certain extent it suits our convenience very often much more to deal with the deputy governor than it does to deal with the Governor. I would hardly have liked to ask the governor to come here to-day at five o'clock, as I did not scruple to ask the deputy governor, and then tell him to go back and take off his uniform and appear at nine o'clock, as we are doing with my excellent friend, Sir Charles Fitzpatrick. We must remember that in the cases of adjournment more particularly, and just such a case as has occurred here, it is rather our convenience that is consulted than anything else in making these arrangements. Then there is another thing. These adjournments certainly, and sometimes a prorogation, are very uncertain quantities. We could not tell His Excellency probably when the business would be through or whether we would be prepared to adjourn, Friday, Monday or Tuesday. We did not know ourselves until within the last 24 hours, and he made his arrangements accordingly. We could not keep him here, nor did we at all suggest that he should be kept here. When His Excellency appears in person, there is a certain amount of state and ceremonial, and —though that is a bagatelle—certain expenditures incurred, and guards and others have to be called out, if the thing is done in due form and state; and for these reasons I have always felt, in the matter of adjournment, a great deal more ground for license can be taken, asked or given than in the case of prorogation, and much more of course than a meeting of parliament when the function is always duly attended to. One thing I can assure the House, and the hon. member from Halifax—the last thing the Governor General would desire would be to show any discourtesy to either House of parliament, whether the Senate or the House of Commons. That I am perfectly certain is entirely removed from his intention or desire.

Hon. Mr. POWER—I quite understand that.

Rt. Hon. Sir RICHARD CARTWRIGHT—No man is more anxious than the Governor General to do two things, one to make himself as thoroughly acquainted as he can with every part of Canada, and with the whole condition of Canada; and the other, as far as in him lies to strengthen by all means in his power the connection between ourselves and the mother country. My opinion as regards the Governor General has always been that he has a two-fold function to perform; one to represent the Sovereign, and to perform the ceremonial functions to which my hon. friend has alluded, but he is also in a very practical degree the ambassador of the people of England to the people of Canada, and I must say I think Lord Grey has done his best to make himself persona grata to our people in that way. No Governor General—although they have all been good in that respect—within my memory, and it goes over pretty nearly all of them who have held office here for the last 50 years, has ever taken more pains to become personally acquainted, as I have said, with every portion of this great Dominion of ours, and I do not think any one in leaving our shores entertained a higher idea of the potentialities and the resources and the probable ultimate destiny of the people of Canada than Lord Grey.

Hon. Sir MACKENZIE BOWELL—I am very glad to know that there is one gentleman in the Senate who has the courage to call the attention of the Senate to what he has considered, and what I must confess I consider—I will not say discourteous, because I am sure His Excellency never intended it,—to be a departure from the duty and the functions of his office. I do

not understand the distinction my hon. friend the right hon. leader of this House draws. It is not a question of the adjournment of the House. It is a question of sanctioning of the Bills that have been passed by parliament. The Governer General, the Senate and the House of Commons constitute the government in this country, and when Bills are assented to, they must be assented to with the consent of each one. The question arises as to whether it would be more dignified and better to maintain, as far as we possibly can, the practices of the sovereigns of England in Canada to as full an extent as possible. We do not ask the Governor General to come down to sanction our adjournment. We adjourn of our own free will, but when the question arises as to the granting of supplies for the carrying on of the government of the country the sanction is given in the name of the Sovereign, and the Governor General being the representative of the Sovereign, the question is whether it would not be more dignified to have the Governor General here unless prevented by extraordinary circumstances, and then his deputy comes. I am fully in accord with the sentiments of the hon. gentleman from Halifax with regard to the position held by Canada towards the empire, and the duties of the Sovereign and of his representative in Canada. It is not necessary, under ordinary circumstances, that he should be expected to come here merely to sanction Bills, with all the paraphernalia and gorgeous display that we have at the opening and closing of parliament. My recollection is that Governors General come down in their frock coats just as they appear on the street, to sanction Bills during the session; and I am sure the hon. gentleman from Halifax never thought for a moment, nor do I think he intended to convey the idea, that the Governor General should come down in state merely to sanction our adjournment. The Governor General is part and parcel of the government of the country, and the Senate and House of Commons, with the Governor General as a representative of the Sovereign, constitute the power that gives authority to place laws upon the statute-book, and particularly with regard to Supply. From my personal knowledge of the official duties of the Governor General of Canada, I do not think there is a member of the Senate who would dissent from the views expressed and the sentiments uttered by the right hon. leader with reference to the conduct of that gentleman. We have had many Governors General in Canada during the period I have been in parliament and every one of them has taken a deep interest in the welfare of the country, and all have made themselves acquainted with the industrial, social and domestic conditions of the people and the capabilities of the country to the fullest extent. I know of no gentleman who has taken a deeper interest in the welfare of Canada than the present Governor General, and it is a pleasure to those who visit England to learn that the deep interest taken by every Governor General who has been in Canada was continued after his return to the mother country. The position taken by my hon. friend from Halifax is a correct one.

Hon. Mr. POWER—I am sorry the right hon. gentleman should have misunderstood me, which he did if he supposed I was in any way reflecting on the present incumbent of the office of Governor General. I think our Bills should be assented to by the Governor General personally if he is here, and that it shows an unintentional lack of due deference to the other two branches of parliament when the Governor General is in the city and sends his deputy to assent to Bills. The right hon. gentleman who leads the House spoke about the Sovereign in England not coming down to Parliament. The position there is altogether different. The Sovereign does not represent anything. He is himself. One of the reasons why I feel strongly on this subject is that I think it tends to weaken the tie that binds us to the mother country. That argument would not apply in the case of the King himself. There is no doubt, as has been stated by the hon. gentleman who preceded me, no Governor General has taken more pains to make himself acquainted with the wants and interests of this country than the present Governor General. My only point was that I thought that inasmuch as previous

Governors made it a point of coming down to assent to Bills when they were in the city, it was desirable that that practice should continue, and it seems to me that now, when the term of the present Governor General is about to expire, and when anything that is said cannot affect his future course, is a better time to call attention to this matter than to wait until the new Governor General comes. I do not know about the Marquis of Lorne, but I know Lord Aberdeen always came down to give the royal assent to our legislation, and Lord Minto also, if he was in town.

Hon. Mr. DAVID—Knowing what we know, that there was never a Governor General who has shown more regard for all classes of the population in Canada, and never a Governor General who was more inclined to do everything which would be agreeable to the people of this country, or to do it with more zeal, I am sure if he has not come here on every occasion when there were Bills to be sanctioned, it was because he was told his presence could be dispensed with. I am sure he would be very happy to come here if he understood there were Bills to be sanctioned; but I am much of the opinion of the right hon. leader of this House, that if his attendance was dispensed with under the circumstances it was that it was not absolutely necessary. One matter mentioned by the right hon. leader of the House is serious and deserves consideration, and that is, that the Governor General should not be bound to come here on every occasion when there is a Bill to sanction.

INDEMNITY TO SENATORS.

Hon. Sir MACKENZIE BOWELL—I desire to call the attention of the House, in order that the right hon. leader may direct the attention of his colleagues to what I consider incongruities in the Indemnity Act. It is not my intention to find fault either with the amount paid, or to say whether it should be larger or smaller, but simply to call attention to what I term an incongruity, and this is not the first time that I have called the attention of the Senate to it, but neither the Minister of Justice nor the government has given it any attention. The interpretation of the Act is such as to do an injustice to many senators and members of the Commons. The language of subsection 1, of section 37, of the Senate and House of Commons Indemnity Act has the effect of deducting from the amount paid to a senator all the days that the Senate has been in session prior to his taking his seat in this Chamber. It seems to me not only an incongruity but a very great injustice to these gentlemen. I propose to illustrate the operation of this Act in the case of certain senators since 1897, and the result is this: In the case of the hon. gentleman sitting opposite me, who was introduced a few days ago, it is a very grave question whether at the end of the session he will not be indebted in some $150 to the Senate instead of receiving anything. I know of a case where a gentleman applied for some money the other day and all he could be paid was his travelling expenses. The Clerk said to him, 'Yes, I can pay your travelling expenses minus $5. You are $5 in debt, and he had only been introduced a couple of days. Whether that is the intention of parliament I do not know, but it ought not to continue. With reference to travelling expenses, under the law, if a senator resides 400 miles from the seat of government, he is entitled to $15 a day for the days occupied in reaching Ottawa. The late Senator Vidal lived at Sarnia, 434 miles from Ottawa. It took him two days to come here, and he would be entitled to $30. Sir John Carling lives in London, 371 miles from Ottawa. He comes upon the same train which the senator from Sarnia takes, the only difference being that the senator from Sarnia travels a few hours longer, and all he is entitled to is the price of the Pullman section, $4, and his meals, which would amount at the outside to $10. Is that equitable and fair? Both of them come on the same train, and both occupy about the same time in travelling. One draws $10 and the other draws $30. I will read the letter of the Minister of Justice on this point. The Clerk of the Senate wrote to Mr. Aylesworth, as to how he was to act in regard to the payment of indemnity under the law as it stood, and the Deputy Minister replied as follows:

Ottawa, May 28, 1907.

Dear Mr. Chapleau,—Referring to your letter of the 24th ultimo, addressed to Mr. Aylesworth, in which you ask, in connection with the case of five Senators who were summoned to the Senate during the present session of parliament, for his opinion (unofficial) as to the proper interpretation of subsection 1 of section 37 of the Senate and House of Commons Act, chapter 10, Revised Statutes, 1906, I have the honour to state that I have had occasion recently to discuss the question to which you refer with the Minister of Justice, and am able to state that he is of opinion that in the case of the Senators to whom you refer there must, under subsection 1 of section 37, be a deduction of $15 for each day of the session before they were appointed, whether there was or was not a sitting of the Senate on such day.

The application of the statute so constructed may result in anomalies, as, for example, in such cases as you suppose, but the same thing might happen if the other construction were adopted, and the remedy for the defects in the Act, if any, is in the hands of parliament itself.

Yours truly,
(Sgd.) E. L. NEWCOMBE.

Major S. E. St. O. Chapleau,
Clerk of the Senate,
Ottawa.

I have a memorandum here showing deductions made from the indemnity of senators under subsection 1 of section 37 of the Revised Statutes, 1906, chapter 10, as interpreted in 1907 by the Minister of Justice.

Year.	Honourable	Deducted for every Day at $15.	Amount.	Deduction for Sitting Days only.	Amount.	Difference.
		Days.	$	Days.	$	$
1907.....	R. Beith	54	810	10	150	660
	A. H. Comeau.....	54	810	10	150	660
	G. C. Dessaulles.....	110	1,650	36	540	1,110
	D. Gillmor	54	810	10	150	660
	Sir G. W. Ross.....	54	810	10	150	660
1910.....	E. M. Farrell.....	62	930	13	195	735
	W. Roche.	62	930	13	195	735
1911.....	A. E. Forget	166	2,490	58	870	1,620
	J. M. Wilson.....	167	2,505	59	885	1,620
	B. C. Prowse.....	169	2,535	61	915	1,620
		1,952	14,280	280	4,200	10,080

Hon. Sir RICHARD SCOTT—One or two of those senators will be in debt to the Senate.

Hon. Sir MACKENZIE BOWELL—They will, if the House sits much longer. Senator Forget, at the present moment is charged with $2,490. Senator Wilson with $2,505, and Senator Prouse $2,535. When the hon. gentleman took his seat, he was indebted to the country just $5. I ask in all seriousness whether parliament ever intended the law to be so interpreted?

Hon. Sir RICHARD SCOTT—No.

Hon. Sir MACKENZIE BOWELL—The Clerk could do nothing else but take the advice of the Minister of Justice and act in accordance with it; but there are the facts and I have taken the liberty of putting them before the House in order that they may be placed upon record, and if the government think it advisable that they should act upon the suggestion which I have made, they may make the necessary changes. This is not the first time that I have called attention to these incongruities and inequalities and unfairness to members of the Senate. I hope my hon. friend from Banff Springs (Hon. Mr. Forget) will, at the time parliament closes, have sufficient funds to pay this money to the government although he has not received it—but to pay for the honour he has had in being introduced into the Senate.

Rt. Hon. Sir RICHARD CARTWRIGHT—My attention was called a day or two ago to the facts that the hon. gentleman from Hastings has laid before the House. I do not intend to criticise the opinions expressed by the Department of Justice. They are sometimes fearfully and wonder-

fully made, and I have myself an idea that a very high court of justice, the Supreme Court of the United States, has lately laid down a doctrine which I hope will spread, that a little reasonable common sense is to be imported into the interpretation of the law. Whether any reasonable common sense has been imported into the interpretation of a law which would penalize a gentleman for taking a seat in this House, as Lord Elgin would say, I doubt it. As soon as I can interview the Minister of Justice, I intend to occupy a portion of his leisure time to endeavour to rectify the mischief and reimburse my hon. friends for the burdens they have incurred by accepting positions in the Senate. It is not always desirable to appoint senators at a moment's notice They should be appointed between sessions, and these disturbing questions would not arise. In regard to the three senators who have recently joined us, I think I can venture to promise them that their interests will be duly protected in the proper time.

Hon. Sir MACKENZIE BOWELL—And the apparent deficit will not be exacted from them?

Rt. Hon. Sir RICHARD CARTWRIGHT —No execution will be levied upon their goods and chattels for the amount for which they appear to be indebted to the consolidated revenue.

Hon. Sir MACKENZIE BOWELL—They might be like some of our friends on the Bay of Qunité; they might beat the government on the execution.

Rt. Hon. Sir RICHARD CARTWRIGHT —In that case their seats might be vacated. I think they are all impervious to any danger of that kind. I am much obliged to the hon. gentleman for calling attention to it. I had not intended to forget it, only with the business on hand I was not able to get a new Bill prepared, and it was obvious it would require some little attention and supervision to prevent mistakes in future.

It being six o'clock, the Speaker left the Chair.

Hon. Sir RICHARD CARTWRIGHT

After Recess.

SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 225) An Act for granting to His Majesty certain sums of money for the public service for the financial years ending respectively the 31st March, 1911, and the 31st March, 1912.

The Bill was read the first time.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill.

Hon. Sir MACKENZIE BOWELL—Could the right hon. leader of the House state the amount asked for, and probably what is the amount that will be required for the year ending the 31st of March, next?

Rt. Hon. Sir RICHARD CARTWRIGHT —The amount required in the present Bill is for the service of the past year ending the 31st of March, $353,000 which had not been provided for. From the consolidated revenue for the service of the succeeding year, 1912, the sum of $26,642,222 is asked. A further sum which had not been provided for of $2,934,000 is also required for the service of the year which expired on the 31st of March last. The Bill contains a provision likewise that the amount granted to the Northwest Territories shall not be deemed to have lapsed. With respect to the sum total, the amount required for the whole service, capital and consolidated fund will range to about $157,000,000 all told, of which about one hundred and six or one hundred and seven millions will be chargeable to consolidated fund, ordinary income account. The remainder is for the purposes mainly of carrying on the work on the National Transcontinental railway and certain other works chargeable to capital which are in progress, including one or two appropriations for the Hudson Bay railway, and certain pretty heavy expenditures in the maritime provinces with respect to the Intercolonial railway. Those are the main facts connected with the measure.

Hon. Sir MACKENZIE BOWELL—That is about the sum that I anticipated would

be required for all purposes during the year. The hon. gentleman has added a million to the amount of $150,000,000 which I anticipated would be required. However, in these growing times, I do not suppose that a million makes much difference pro or con. Looking at the estimates that are now before the House, and also the estimates that we have already passed, I have come to the conclusion that the estimates for the year are a very good barometer of an approaching election. When you see the number of items in the different provinces under the heading of public buildings, harbours and wharfs, it rather staggers one when he compares the past with the present. I propose to put a few items on record in reference to the point I have raised. In looking at the estimates as far as they are laid before parliament this year, without referring at all to the larger sums that are included in the estimates for public works and so on, I shall just confine myself to the figures that relate to the works that are to be constructed during the year, and, considering the number, it looks very much like paying out to the different constituencies a certain sum in order to secure votes. That is the inference one would draw. Of course I never would think of accusing the government of doing a thing of that kind. I propose to submit some figures for the benefit of those who are here and those who like to read them. I find the items voted to the different provinces are as follows:

Nova Scotia	16
Prince Edward Island	3
New Brunswick	9
Quebec	22
Ontario	47
Manitoba	7
Saskatchewan and Alberta	16
British Columbia	13

For harbours, wharfs, etc., I find the following items:

Nova Scotia	120
New Brunswick	40
Prince Edward Island	8
Quebec (Two pages and a half)	104
Ontario	57
Manitoba	7
Saskatchewan and Alberta	1
British Columbia	31

Let us look at the supplementaries that we have before us. We find the following figures for public buildings, works, etc., independent altogether of the larger sums to which I have called attention:

MAIN ESTIMATES.

Nova Scotia	102
Prince Edward Island	2
New Brunswick	15
Quebec	31
Manitoba	5
Ontario	45
Saskatchewan and Alberta	22
British Columbia	18
Nova Scotia	102
Prince Edward Island	18
New Brunswick	48
Quebec	78
Ontario (again) Harbour	49
Manitoba	4
Saskatchewan and Alberta	9
British Columbia	18
Yukon Territories	2

The Senate must not understand that I am repeating figures because I mention a province two or three times. The numbers that I have given will appear on different pages of the estimates. When you read them over and add them up you will find the result is as follows:

					Total.
Nova Scotia	8	102	16	120	— 246
New Brunswick	15	48	9	40	— 112
Quebec	22	104	78	31	— 235
Ontario	47	51	45	49	— 149

Any one looking at these items, and the purposes for which they are to be used, can come to no other conclusion than that there is scarcely a creek, harbour, or a village with even a few inhabitants that has not a public building or which is not having some work done, repairs made, or a harbour built, and the large number of items I think justifies me in saying that we may look forward in a very short period to a general election. These figures are a very fair barometer of what is to come. If I were to attribute a reason for the expenditure of these sums in the different places, creeks and rivers, where perhaps, there is no water, I must come to the conclusion that there is some other reason than the good of the country, unless the government think that a return to power by the means of using public funds is for the good of the country. I should like to concur in that view, but I think my hon. friend who is listening to me will scarcely think I do. What further estimates may be submitted to us in the future it is impossible to say; but in making appropriations for small works

where no possible general good can arise, and where no local interest is involved, the Government must have some particular reason. We know that in the past moneys have been appropriated for creating harbours where there is no water, where the cattle feed in summer, as soon as the ground gets dry enough for the grass to grow. That has occurred, and I have no doubt if some person will go to the trouble and expense of examining the places to which these items now being voted apply, they would find that the result in the future would be precisely what I have referred to in the past. It would be very interesting, if we had time, and it would be still more interesting if the minister would take the trouble and know enough about them to explain many other items in this estimate.

But I suppose we have to bear it. These expenditures have been increasing year after year. I have before me a statement of the amount of money that has been spent the last eight or ten years in the constituency represented by the Finance Minister himself, and if I were to submit it to the Senate, I am inclined to think it would be rather astonishing to those who have not taken the trouble to inquire into the manner in which the public money has been expended of late years. I am not opposed to the expenditure of money for public services where it is really required for the benefit of trade and commerce, or for the advantages of any locality where it is really required to facilitate and help the trade of the country. The manner in which money has been expended, I do not hesitate to say, has been not only extravagant, but unjustifiable, and any one who has looked into the matter must come to the conclusion at which I have arrived.

The motion was agreed to, and the Bill passed through its final stages.

POST OFFICE ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (No. 216) An Act to amend the Post Office Act.

The Bill was read the first time.

Hon. Sir MACKENZIE BOWELL.

Rt. Hon. Sir RICHARD CARTWRIGHT moved the second reading of the Bill. He said: This involves the possibility of raising the salaries of several classes of Post Office employees.

The motion was agreed to, and the Bill was passed through its final stages.

BILLS ASENTED TO.

His Honour Mr. Chief Justice Sir Charles Fitzpatrick, Deputy Governor General, being seated at the foot of the Throne, the following Bills were assented to:—

An Act respecting the Mather Bridge and Power Company.

An Act to incorporate the British Columbia and Dawson Railway Company.

An Act respecting International Railway Company and International Traction Railways.

An Act to incorporate the Simcoe, Grey and Bruce Railway Company.

An Act respecting the Quebec and New Brunswick Railway Company.

An Act to incorporate the Saskatoon and Hudson Bay Railway Company.

An Act to incorporate the Lake Erie and Northern Railway Company.

An Act respecting the Huron and Ontario Railway Company.

An Act respecting the Buffalo, Niagara and Toronto Railway Company.

An Act to incorporate the Canadian Surety Company.

An Act to incorporate the Sterling Trust Corporation.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

An Act to incorporate the Pacific and Peace Railway Company.

An Act respecting the People's Railway Company.

An Act respecting the Manitoulin and North Shore Railway Company, and to change its name to 'The Algoma Eastern Railway Company.'

An Act respecting the Canadian Pacific Railway Company.

An Act to amend the Canada Medical Act.

An Act respecting the Baptist Convention of Ontario and Quebec.

An Act respecting a patent of the Goldschmidt Thermet Company.

An Act to incorporate the Restigouche Riparian Association.

An Act for the relief of Mary Jane Beatty.

An Act for the relief of Robert William Logan.

An Act respecting a patent of Conduits Company, Limited.

An Act to incorporate the Hudson Bay Mortgage Corporation.

An Act to incorporate the Imperial Steamship Company.

An Act to incorporate the Canadian Baptist Foreign Mission Board.

An Act respecting the Western Alberta Railway Company.

An Act respecting the Alsek and Yukon Railway Company.
An Act to incorporate the Pacific and Hudson Bay Railway Company.
An Act respecting the Western Central Railway Company.
An Act to prohibit the improper use of Opium and other Drugs.
An Act respecting the McClary Manufacturing Company.
An Act respecting the Hamilton Provident and Loan Society.
An Act to incorporate the Ontario-Michigan Railway Company.
An Act to incorporate the British Columbia and White River Railway Company.
An Act respecting the Songhees Indian Reserve.
An Act to amend the Post Office Act.
An Act to correct certain clerical errors in the French Version of the Inland Revenue Act.
An Act for the relief of Walter Harvey Kirkland.
An Act for the relief of Mary Kathleen Crittenden.
An Act for the relief of Pauline Winslow Saunderson.
An Act for the relief of Nellie Bridgland Morrison.
An Act for the relief of Frances Whittington Truesdell.
An Act to incorporate The Canada West Loan Corporation.
An Act to amend and consolidate the Acts relating to the Harbour of Toronto.
An Act to incorporate the Imperial Traction Company.
An Act respecting the Montreal Park and Island Railway Company.
An Act to amend the Department of Railways and Canals Act.
An Act respecting the Joliette and Lake Manuan Colonization Railway Company.
An Act respecting a Patent of The Boiler Flue Cleaner and Supply Company, Limited.
An Act to confer on the Commissioner of Patents certain powers for the relief of Trussed Concrete Steel Company, of Canada, Limited.
An Act for the relief of Violet Jane Dakin.
An Act for the relief of Hugh Samuel Bell.
An Act to provide for increasing the capital stock of the Richelieu and Ontario Navigation Company.
An Act for the relief of Fanny Mary Healy.
An Act for the relief of Gertrude Mary Grantham.
An Act respecting the Canada National Fire Insurance Company.
An Act respecting certain Patents of Munderloh and Company, Limited.
An Act respecting the Inspection and Sale of Seeds.
An Act respecting the Alberta Railway and Irrigation Company.
An Act to amend the Fisheries Act.
An Act to amend the Indian Act.
An Act to amend the Alberta Electric Railway Company.
An Act to incorporate the Hudson Bay, Peace River and Pacific Railway Company.
An Act to incorporate the Ontario and Abitibi Railway Company.
An Act to incorporate the Casualty Company of Canada.
An Act respecting La Sauvegarde Life Assurance Company.
An Act to incorporate the Western Canal Company.
An Act to incorporate the Continental Fire Insurance Company.
An Act respecting the Cariboo, Barkerville and Willow River Railway Company.
An Act respecting the Chatham, Wallaceburg and Lake Erie Railway Company.
An Act relating to Steamship Subsidies.
An Act to amend the Bank Act.
An Act to amend the Penny Bank Act.
An Act to incorporate the Albert and Moncton Railway Company.
An Act to authorize the Government of Canada to acquire, by lease, a certain line of railway in the province of New Brunswick.
An Act to incorporate the Grain Growers' Grain Company, Limited.
An Act to amend an Act of the present session intituled 'An Act respecting the Grand Trunk Railway Company of Canada.'
An Act respecting aid towards the construction of the Canadian Northen Ontario Railway.
An Act relating to the establishment and expenses of the International Joint Commission under the Waterways Treaty of January the eleventh, nineteen hundred and nine.
An Act to amend the Water-Carriage of Goods Act.
An Act to amend the Quebec Savings Bank Act.
An Act to amend the Railway Act.
An Act respecting Duties of Customs on Importations from Japan.
An Act respecting the National Battlefields at Quebec.
An Act respecting Forest Reserves and Parks.
An Act for the relief of William Francis Currie.
An Act to amend the Post Office Act.
An Act for granting to His Majesty certain sums of money for the public service of the financial years ending, respectively, the 31st March, 1911, and the 31st March, 1912.

The Senate adjourned until Wednesday, August 9, 1911, at three o'clock.

THE SENATE.

OTTAWA, July 31, 1911.

DISSOLUTION OF PARLIAMENT.

An Extra of the 'Canada Gazette' of Saturday, July 29, contains the following proclamations:—

GREY.

[L.S.]

CANADA.

GEORGE the FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To Our Beloved and Faithful the Senators of the Dominion of Canada, and the Members elected to serve in the House of Commons of Our said Dominion, and to all whom it may concern,—Greeting:

Whereas We have thought fit, by and with the advice and consent of Our Privy Council for Canada, to Prorogue the present Parliament of Canada, and whereas the adjournment of the Senate at the present time renders impossible the announcement to both Houses,—

Now Know Ye, that We do for that end publish this Our Royal Proclamation, and do hereby Prorogue the said Parliament of Canada accordingly to the Seventh day of September next.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, &c., &c., Governor General and Commander-in-chief of Our Dominion of Canada.

At Our Government House, in Our city of Ottawa, in Our said Dominion, this Twenty-ninth day of July, in the year of Our Lord one thousand nine hundred and eleven, and in the second year of Our Reign.

By Command,

JAMES G. FOLEY,
Clerk of the Crown in Chancery,
Canada.

GREY.

[L.S.]

CANADA.

GEORGE the FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To Our Beloved and Faithful the Senators of the Dominion of Canada, and the Members elected to serve in the House of Commons of Our said Dominion, and to all whom it may concern,—Greeting:

Whereas We have thought fit, by and with the advice and consent of Our Privy Council for Canada, to Dissolve the present Parliament of Canada, which stands prorogued to the Seventh day of September next.

Now Know Ye, that We do for that end publish this Our Royal Proclamation, and do hereby Dissolve the said Parliament of Canada accordingly; and the Senators and Members of the House of Commons are discharged from their meeting and attendance on the said Seventh day of September next.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, &c., &c., Governor General and Commander-in-chief of Our Dominion of Canada.

At Our Government House, in Our city of Ottawa, in Our said Dominion, this Twenty-ninth day of July, in the year of Our Lord one thousand nine hundred and eleven, and in the second year of Our Reign.

By Command,

JAMES G. FOLEY,
Clerk of the Crown in Chancery,
Canada.

GREY.

[L.S.]

CANADA.

GEORGE the FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To all to whom these presents shall come,—Greeting:

Whereas We are desirous and resolved, as soon as may be, to meet Our People of Our Dominion of Canada, and to have their advice in Parliament; We do make known Our Royal Will and pleasure to call a Parliament, and do further declare that by the advice of Our Privy Council for Canada, We have, this day, given Orders for issuing Our Writs in due form, for calling a Parliament in Our said Dominion, which Writs are to bear date on the Third of August, 1911, and to be returnable on the Seventh day of October, 1911.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, &c., &c., Governor General and Commander-in-chief of Our Dominion of Canada.

At Our Government House, in Our city of Ottawa, in Our said Dominion, this Twenty-ninth day of July, in the year of

Our Lord one thousand nine hundred and eleven, and in the second year of Our Reign.

By Command,

JAMES G. FOLEY,
Clerk of the Crown in Chancery,
Canada.

GREY.

[L.S.]

CANADA.

GEORGE the FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To all to whom these presents shall come,—Greeting:

Know Ye, that We, being desirous and resolved, as soon as may be, to meet Our People of Our Dominion of Canada, and to have their advice in Parliament, do hereby, by and with the advice of Our Privy Council for Canada, summon and call together the House of Commons in and for Our said Dominion, to meet at Our city of Ottawa in Our said Dominion, on Wednesday, the Eleventh day of October next, then and there to have conference and treaty with the Great Men and Senate of Our said Dominion.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness, Our Right Trusty and Right Well-Beloved Cousin and Councillor the Right Honourable Sir Albert Henry George, Earl Grey, Viscount Howick, Baron Grey of Howick, in the County of Northumberland, in the Peerage of the United Kingdom, and a Baronet; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, &c., &c., Governor General and Commander-in-chief of Our Dominion of Canada.

At Our Government House, in Our city of Ottawa, in Our said Dominion, this Twenty-ninth day of July, in the year of Our Lord one thousand nine hundred and eleven, and in the second year of Our Reign.

By Command,

JAMES G. FOLEY,
Clerk of the Crown in Chancery,
Canada.

INDEX

PART I—SENATORS

The following abbreviations are used : 1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings; *without remark or debate; Accts., Accounts; Adjn., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; B., Bill; B.C., British Columbia; Can., Canada or Canadian; Com., Committee; Co., Company; Consdn., Consideration; Cor., Correspondence; Dept., Department; Govt., Government; His Ex., His Excellency the Governor General; H. of C., House of Commons; Incorp., Incorporation; Inq., Inquiry; Man., Manitoba; Mess., Message; M., Motion; *m.*, moved; N.B., New Brunswick; N.W.T., North-west Territories; N.S., Nova Scotia; Ont., Ontario; Parlt., Parliament; P.E.I., Prince Edward Island; P.O., Post Office; Ques., Question; R.A., Royal Assent; Rem., Remarks; Rep., Reported; Ret., Returned; Ry., Railway; Sel., Select; 6 m. h., Six Months' Hoist; Withdn., Withdrawn.

BAIRD, Hon. G. T.

Beach Lot in Chicoutimi: Inq., 54.
Inspection and Sale Act Amt. Bill (9): in Com., rem, 137.
Postal Life Insurance Co. of New York: inq., 164.
Printing of Parliament, The: rem., 45.
The Improper use of Opium and Drugs, Bill (97): on clause 3, rem., 400.
To authorize the Govt. of Canada to acquire by lease a certain line of railway in the Province of New Brunswick, Bill (150): on M. for 2nd R., rem., 697.

BEIQUE, Hon. F. L.

An Act respecting Grain, Bill (Q): in Com. on clause 31, rem., 308; on clause 123, rem., 351; on M. for Special Committee, rem., 362; on amt. to clause 123, rem., 574.
Clerical Error in French Version of Chap. 142 of the Statutes of 1910, Bill (W): int., 238; 2nd R.*, 276; 3rd R.*, 292.
Canadian Inter-Mountain Ry. Co., Bill (J): reported from Com., 224.
Canada Cement Co., Ltd., Bill (D-2): int., 462; 2nd R.*, 477; 3rd R.*, 632.
Divorce Committee, The: on M. in amt. to adoption of 5th Report, rem., 268.
Guardian Accident & Guarantee Co., Bill (F) : on M. for concurrence in amts., rem., 167.
Hours of Labour on Public Works, Bill (3): on 2nd R., rem., 423, 518, 550.

BEIQUE, Hon. F. L.—*Con.*

International Ry. Companies and International Traction Rys., Bill (74): on concurrence in amts. rem., 411.
Inspection and Sale Act Amt. Bill (9): in Com., rem., 137.
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Railway Companies, Incorporation of, Bill (A): int., 45; *m.* 2nd R., rem., 79.

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For the relief of Robert William Logan, Bill (B-2): int., 446; 2nd R*, 477; 3rd R*, 480; R. A., 750.

For the relief of Nellie Bridgeland Morrison, Bill (K-2): int., 479; 2nd R.*, 513; 3rd R*, 521; R. A., 751.

For the relief of Frances Whittington Trusdell, Bill (L-2): int., 479; 2nd R* 513; 3rd R*, 521; R. A., 751.

For the relief of Joseph Doust. Bill (Q-2): int., 528; 2nd R*, 561; referred back to Com., 587.

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Canadian Inter-Mountain Ry. Co., Bill (J): int., 144; 2nd R*, 166; reported from Com. without amts., 244; 3rd R.*, 294; R. A., 480.

Canadian Western Ry Co., Bill (70): int., 182; 2nd R*, 198; 3rd R*, 238; R. A., 480.

For the relief of Violet Jane Dakin, Bill (N-2): int., 521; 2nd R*, 544; 3rd R*, 561; R. A., 751.

High River, Saskatchewan & Hudson Bay Ry. Co., Bill (G-2): int., 476; 2nd R*, 492; 3rd R*, 632.

Hudson Bay, Peace River & Pacific Ry. Co., Bill (K-1): int., 299; 2nd R*, 323; 3rd R*, 476; R. A., 751.

Manitoulin & North Shore Ry. Co., Bill (L-1): int., 299; 2nd R*, 323; 3rd R*, 439; R. A., 750.

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Ontario Railways Co., Bill (R-1): int., 313; 2nd R.*, 332; 3rd R.*, 476.

Railway Act Amendment, Bill (4): on M. to adjourn debate on 2nd R., rem., 690.

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An Act to incorporate the New Ontario and Quebec Ry. Co., Bill (W-1): int., 388; 2nd R.*, 398; 3rd R.*, 476.

An Act respecting Forest Reserves and Parks, Bill (85): in Com., rem., 742.

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An Act respecting the Canadian Northern Ontario Ry. Co. Bill (69): int., 209; 2nd R.*, 238; 3rd R.*, 430; R. A., 480.

An Act respecting the Bay of Quinté Ry. Co. Bill (88): int., 209; 2nd R.*, 232; 3rd R.*, 323; R. A., 480.

Brockville, Westport and Northwestern Ry. Co., Bill (66): int., 149; 2nd R.*, 166; 3rd R.*, 208; R. A., 479.

Empire Life Insurance Co., Bill (71): int., 149; 2nd R.*, 166; 3rd R.*, 227; R. A. 479.

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Hours of Labour on Public Works, Bill (3): in Com., rem., 625.

Improper use of Opium and other Drugs, Bill (97): in Com., rem., 218, 407.

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An Act respecting the Buffalo, Niagara and Toronto Ry. Co., Bill (80): int, 209; 2nd R.*, 238; 3rd R.*, 476; R. A., 750.

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An Act respecting the Ontario, Hudson's Bay and Western Ry. Co., Bill (76): int., 209; 2nd R.*, 232; 3rd R.*, 430; R. A., 480.

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An Act respecting the Alberta Central Ry. Co., Bill (92): int., 276; 2nd R.*, 294; 3rd R.*, 398; R. A., 480.

An Act to incorporate the Alberta Electric Ry. Co., Bill (93): int., 412; 2nd R.*, 430; 3rd R.*, 634; R. A., 751.

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An Act to incorporate the Lake Erie and Northern Ry. Co., Bill (106): int., 299; 2nd R.*, 323; 3rd R.*, 476; R. A., 750.

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An Act to incorporate the Northwest Loan Co., Bill (U-1): int., 324; 2nd R.*, 370; 3rd R.*, 477.

An Act respecting the Nipegon-Albany Canal and Transportation Co., Bill (F-2): int., 462; 2nd R.*, 482.

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An Act to incorporate the Continental Fire Insurance Co., Bill (I-2): int., 479; 2nd R.*, 3rd R.*, 582; R. A., 751.

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An Act respecting the Manitoba and North Western Ry. Co., Bill (19): int., 118; 2nd R.*, 141; on amts, rem., 173; 3rd R.*, 176; R. A., 479.

An Act respecting the Southern Central Pacific Ry. Co., Bill (84): int., 241; 2nd R.*, 291; 3rd R.*, 393; R. A., 480.

An Act respecting the Canadian Pacific Ry. Co., Bill (108): int., 412; 2nd R.*, 430; 3rd R.*, 528; R. A., 750.

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(L-1) An Act to change the name of the Manitoulin & North Shore Ry. Co., (Hon. Mr. DeVeber). Int., 299; 2nd R.*, 323; 3rd R.*, 439; R. A., 750.

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(O-1) An Act to amend and consolidate the Acts relating to the Harbour of Toronto, (Hon. Mr. Jaffray). Int., 299; 2nd R.*, 324; 3rd R.*, 476; R. A., 751.

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(U-1) An Act to incorporate the Northwest Loan Co., (Hon. Mr. Watson). Int., 324; 2nd R.*, 370; 3rd R.*, 477.

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(X-1) An Act for the relief of Mary Jane Beatty, (Hon. Mr. Mitchell). Int., 417; 2nd R.*, 439; 3rd R.*, 461; R. A., 750.

(Y-1) An Act to incorporate the Quebec and Great North Western Ry. Co., (Hon Mr. Belcourt). Int., 430; 2nd R.*, 461; 3rd R.*, 587.

(Z-1) An Act for the relief of Walter Harvey Kirkland, (Hon. Mr. Young). Int., 431; 2nd R.*, 461; 3rd R.*, 463; R. A.. 751.

(A-2) An Act respecting the Joliette and Lake Manuan Colonization Company, (Hon. Mr. Talbot). Int., 432; 2nd R.*, 477; 3rd R.*, 528; R. A., 751.

(B-2) An Act for the relief of Robert William Logan, (Hon. Mr. Derbyshire). Int., 446; 2nd R.*, 477; 3rd R.*, 480; R. A., 750.

(C-2) An Act respecting a patent of Boiler Flues Cleaner and Supply Co., (Hon. Mr. Campbell). Int., 446; 2nd R.*, 477; 3rd R.*, 582; R. A., 751.

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(H-2) An Act for the relief of Mary Kathleen Crittenden, (Hon. Mr. Watson). Int., 479; 2nd R.*, 513; 3rd R.*, 521; R. A., 751.

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(I-2) An Act to incorporate the Continental Fire Insurance Co., (Hon. Mr. Watson). Int., 479; 2nd R.*, 3rd R.*, 582; R. A., 751.

(J-2) An Act for the relief of Pauline Winslow Saunderson, (Hon. Mr. Thompson). Int., 479; 2nd R.*, 513; 3rd R.*, 521; R. A., 751

(K-2) An Act for the relief of Nellie Bridgetington Trusdell, (Hon. Mr. Derbyshire). Int., 479; 2nd R.*, 513; 3rd R.*, 521; R. A., 751.

(L-2) An Act for the relief of Frances Whittington Trusdell (Hon. Mr. Derbyshire). Int., 479; 2nd R.*, 513; 3rd R.*, 521; R. A., 751.

(M-2) An Act to Amend the Juvenile Delinquent Act, 1908, (Hon. Mr. Casgrain). Int., 479; 2nd R., M. rem., Hon. Mr. Casgrain, 513; M. agreed to, 513; in com. on clause 1, rem., Hon. Sir Richard Scott, 550; Hon. Sir Richard Scott *m.* amt. to subsection 2 of clause 23; also amt. to section 23, 550; Bill with amts. concurred in, 550; 3rd R.*, 561.

(N-2) An Act for the relief of Violet Jane Dakin, (Hon. Mr. DeVeber). Int., 521; 2nd R.*, 544; 3rd R.*, 561; R. A., 751.

(O-2) An Act for the relief of Hugh Samuel Bell, (Hon. Mr. Young). Int., 521; 2nd R.*, 545; 3rd R.*, 561; R. A., 75[illegible]

(P-2) An Act for the relief of Fanny Mary Healey, (Hon. Mr. Talbot). Int., 1st R., 527, rem., Hon. Mr. Cloran, Hon. Mr. Young, 527, 528; 2nd R.*, 585; 3rd R.*, 587; R. A., 751.

(Q-2) An Act for the relief of Joseph Doust, (Hon. Mr. Derbyshire). Int, 528; 2nd R.*, 561; 3rd R., rem., Hon. Mr. Cloran, 583; debate adjn., 585; Hon. Mr Lougheed, *m.* Bill be referred back to Com., 586; rem., Hon. Mr. Cloran, 586; M. agreed to, 587.

(R-2) An Act respecting certain patents of Munderloh Co., Ltd., (Hon. Mr. Domville). Int., 543; 2nd R.*, 562; 3rd R.*, 632; R. A., 751.

(S-2) An Act respecting the Cariboo, Bakerville and Willow River Ry. Co., (Hon. Mr. Riley). Int., 2nd R.*, 585; 3rd R.*, 632; R. A., 751.

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(T-2) An Act respecting La Sauvegarde Life Insurance Co., (Hon. Mr. Béique). 1st and 2nd R.*, 543; 3rd R.*, 582; R. A., 751.

(U-2) An Act for the relief of Gertrude Mary Grantham, (Hon. Mr. Young). Int., 560; 2nd R.*, 585; 3rd R.*, 607; R. A., 751.

(V-2) An Act to provide for increasing the capital stock of the Richelieu and Ontario Navigation Co., (Hon. Mr. Casgrain). 1st and 2nd R.*, 560; 3rd R.*, 582; R. A., 751.

(W-2) An Act respecting the Canadian National Fire Insurance Co., (Hon. Mr. Watson). Int., 560; 1st R., M. Hon. Mr. Watson, 583; M. agreed to, 583; 2nd R., 585; 3rd R.*, 605; R. A., 751.

(X-2) An Act to amend the Water Carriage of Goods Act as regards the delivery of Wood, (Hon. Mr. Domville). Int., 561; 2nd R., rem., Hon. Mr. Domville, 628, Hon. Mr. Thompson, 631; in Com., M. to amend section A, of clause 2, Hon. Mr. Domville; rem., Hon. Mr. Power, Hon. Mr. Campbell, Hon. Sir Richard Scott, 635; amt. adopted, 635; Bill with amts. concurred in, 635; 3rd R.*, 638.

(Y-2) An Act respecting the St. Louis Light and Power Company, (Hon. Mr. David). 1st and 2nd R.*, 605; 3rd R.*, 654.

(Z-2) An Act respecting the Chatham, Wallaceburg and Lake Erie Ry. Co., (Hon. Mr. Derbyshire). 1st and 2nd R., rem., Hon. Mr. Derbyshire, 605; 3rd R.*, 632; R. A., 751.

(A-3) An Act for the relief of William Francis Currie, (Hon. Mr. Young). Int., 631; 2nd R.*, 634; 3rd R.*, 638; R. A., 751.

(B-3) An Act for the relief of George Mackay Sutherland, (Hon. Mr. Young). Int., 1st R.*, 632; 2nd and 3rd R.*, 671.

(C-3) An Act to amend section 5 of the Grand Trunk Ry. Act of 1911, (Hon. Mr. Young). Int. and read 1st time, 673; Hon. Mr. Young, presented report of Com., 684; report concurred in, 685; 1st, 2nd and 3rd R., rem., Hon. Mr. Young, Hon Sir Mackenzie Bowell, 685; R. A., 751.

(3) An Act respecting the Hours of Labour on Public Works, (Hon. Mr. Campbell). Int., 235; 2nd R., M., Hon. Mr. Campbell, 417; rem., Hon. Mr. Macdonald, B.C., 417;

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Hon. Mr. McMullen, 418; Hon. Sir Mackenzie Bowell, Hon. Mr. Power, 419, Hon. Mr. Béique, 423, Hon. Mr. Dandurand, 424, Hon. Mr. Casgrain, 439, Hon. Mr. Coffee, 444; M., Hon. Mr. Ellis, 461; M. agreed to, 462; resuming adjn. debate, rem., Hon. Mr. Ellis, 492, Hon. Mr. Cloran, 497; M. adjnmt. of debate, Hon. Sir Richard Scott, 501; M. agreed to, 501; debate continued, rem., Hon. Sir Richard Scott 513, Hon. Mr. Béique, 518; debate adjn., 520; debate continued, rem., Hon. Mr. Béique, 550; Hon. Mr. Legris, 551, Hon. Mr. Campbell, 551, Hon. Sir Mackenzie Bowell, 553, Hon. Mr. Ellis, Hon. Mr. Costigan, 555, Hon. Mr. Ross, (Halifax), Hon. Mr. Wilson, 556, Hon. Mr. Poirier, 558, 578, Hon. Mr. Campbell, *m.* Bill be referred to a special Com., 580; rem., Hon. Sir Mackenzie Bowell, 581, Hon. Mr. Wilson, 581; M. agreed to, 582; rem., Hon. Mr. Legris, Hon. Sir Richard Scott, Hon. Mr. Cloran, 622; M. agreed to, 623; rem., Hon. Mr. Ellis, Hon. Mr. Power, 623, Hon. Mr. Cloran, Hon. Mr. Casgrain, 624, Hon. Mr. Kerr (Speaker), 625; M. that Bill be referred to a special Com., agreed to, 625.

(4) An Act to amend the Railway Act, (Hon. Mr. Coffey). Int., 299; 2nd R. *m.* Hon. Mr. Campbell, 333; rem., Hon. Mr. Jones, 334, 341, Hon. Mr. Casgrain, 335, Hon. Mr. Béique, 339, Hon. Mr. McSweeney, 340; Hon. Sir Mackenzie Bowell, 342, Hon. Mr. Lougheed, 343, Hon. Mr. Dandurand, 344; M. lost, 344; M. Hon. Mr. Casgrain, 397; M. agreed to, 397; 2nd R. *m.* Hon. Mr. Casgrain, 426; rem., Hon. Mr. Wilson, 426; Hon. Mr. McMullen, 427; M. agreed to, 427; *m.* Bill referred to Com. on Rys. and Canals, Hon. Mr. Casgrain, 427; rem., Hon. Mr. Wilson, 427; M. agreed to, 428; Hon. Mr. Young for Hon. Mr. Béique, *m.* adoption of report of Com., 656; rem., Hon. Mr. Ellis, Hon. Mr. Power, 656, Hon. Mr. Cloran, 657, 665, Hon. Mr. David, 658; Hon. Mr. McSweeney, 660, Hon. Mr. Wilson, 660, Hon. Sir Geo. W. Ross, 663, Hon. Mr. Macdonald, B.C., 664; Rt. Hon. Sir Richard Cartwright, *m.* adjn. of debate, 668; M. agreed to, 668; debate continued, Rt. Hon. Sir Richard Cartwright *m.* adjn. of debate, 687, Hon. Mr. Ellis, Hon. Mr. Choquette, 688, Hon. Sir Mackenzie Bowell,

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689, Hon. Mr. David, 690, Hon. Mr. Gibson, 690, Hon. Mr. Casgrain, Hon. Mr. Cloran, 691, M. agreed to, 691.

(6) An Act to amend the Interest Act, (Hon. Mr. Derbyshire). Int., 107; 2nd R. *m.*, Hon. Mr. McHugh for Hon. Mr. Derbyshire, 118; rem., Hon. Mr. McHugh, Hon. Sir Geo. W. Ross (Middlesex), 118, 126; Hon. Mr. Power, 118; Hon. Mr. Cloran, 119, 121; Hon. Mr. David, Hon. Mr. Choquette, Hon. Mr. Casgrain, 120; Hon. Mr. Wood, 122; Hon. Mr. Lougheed, 123; Hon. Mr. McMullen, 124; Rt. Hon. Sir Richard Cartwright, 125; Hon. Mr. Dandurand, 127; M. agreed to, 128; Hon. Mr. Gibson, *m* adoption of report of com. recommending that the Bill be not passed, 684; M. agreed to, 684.

(9) An Act to amend the Inspection and Sale Act, (Hon. Mr. Thompson). Int., 76; 2nd R. *m.* rem., Hon. Mr. Thompson, 110; rem., Hon. Mr. Cloran, 110; Rt. Hon. Sir Richard Cartwright, 111; M. agreed to, 112; in Com., rem., Hon. Mr Thompson, Hon. Mr. Lougheed, 135; Rt. Hon. Sir Richard Cartwright, Hon. Mr. Power, Hon. Mr. Cloran, Hon. Mr. Comeau, 136, Hon. Mr. Béique, Hon. Mr. Ross (Halifax), Hon. Mr. Baird, Hon. Mr. Costigan, 137; Bill rep. without amt., Hon. Mr. Ellis, 138; 3rd R.*, 147; R. A., 480.

(15) An Act to amend the Canadian Medical Act, (Hon. Mr. Belcourt). Int., 446; 2nd R., rem., Hon. Mr. Belcourt, 463; Hon. Mr. Dandurand, Hon. Mr. McMillan, Hon. Mr. Power, 464; M. agreed to, 465; in com., rem., Hon. Mr. Power, 521; on clause 10, rem., Hon. Mr. Wilson, Hon. Mr. Power, 522; on clause 11, rem., Hon. Mr. Wilson, Hon. Mr. Power, 523; on clause 12; rem., Hon. Mr. Wilson, Hon. Mr. Power, 523; on clause 13, rem., Hon. Mr. Power, Hon. Mr. Wilson, Hon. Mr. Thompson, 524; reported without amt., 526; 3rd R.*, 528; R. A., 750.

(17) An Act respecting the British Columbia Southern Railway Company, (Hon. Mr. Bostock). Int., 107; 2nd R.*, 118; 3rd R.*, 171; R. A., 479.

(18) An Act respecting the Kootenay and Arrowhead Railway, (Hon. Mr. Bostock).

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Int., 108; 2nd R.*, 128; 3rd R.*, 171; R. A., 479.

(19) An Act respecting the Manitoba and North Western Railway Company, (Hon. Mr. Watson); Int., 118; 2nd R.*, 141; reported from com. with amt. (Hon. Mr. Béique), 163; consdn. of amts; rem., Hon. Mr. Power, Hon. Mr. Ellis, Hon. Mr. Cloran, 172; Hon. Mr. Watson, 173; amts. concurred in, 174; 3rd R.*, 176; R. A., 479.

(20) An Act respecting the Mather Bridge and Power Co., (Hon. Mr. Gibson). Int., 209; 2nd R.*, 238; 3rd R.*, 398; R. A., 750.

(21) An Act respecting the Vancouver and Lulu Island Railway Company, (Hon. Mr. Bostock). Int., 118; 2nd R., 141, 198.

(31) An Act respecting the Guelph and Goderich Railway Company, (Hon. Mr. McMullen). Int., 108; 2nd R.*, 128; 3rd R.*, 171; R. A., 479.

(32) An Act to incorporate the Sterling Trust Corporation, (Hon. Mr. Douglas). Int., 322; 2nd R.*, 322; 3rd R.*, 477; R. A., 750.

(33) An Act respecting the South Ontario Pacific Railway Company, Hon. Mr. McMullen). Int., 107; 2nd R.*, 135; 3rd R.*, 171; R. A., 479.

(34) An Act respecting the Walkerton and Lucknow Ry. Company, (Hon. Mr. McMullen). Int., 107; 2nd R., 118; 3rd R.*, 171; R. A., 479.

(36) An Act relating to the establishment and Expenses of the International Joint Commission under the Waterways Treaty of Jan. 11, 1909, (Rt. Hon. Sir Richard Cartwright). Int., 730; 2nd R.*, 733; in com., on clause 3, rem., Hon. Sir Mackenzie Bowell, 733, 734; Rt. Hon. Sir Richard Cartwright, 734; Bill reported without amt., 735; 3rd R.*, 735; R. A., 751.

(42) An Act respecting the Collingwood Southern Ry. Co., (Hon. Mr. McMullen). Int., 178; 2nd R.*, 196; 3rd R.*, 294; R. A., 480.

(43) An Act respecting a patent of Conduits Co., Ltd., (Hon. Mr. Jones). Int., 299; 2nd R., rem., Hon. Mr. Young, Hon. Mr. Jones, Hon. Sir Mackenzie Bowell, 333; 3rd R.*, 476; R. A., 750.

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(44) An Act respecting the Lachine, Jacques Cartier and Maisonneuve Ry. Co., (Hon. Mr. Béique). Int., 178; 2nd R., *m.* rem., Hon. Mr. Béique, 231; M. agreed to, 232; 3rd R.*, 477; R. A., 480.

(45) An Act respecting the Montreal Park and Island Ry., (Hon. Mr Casgrain) Int., 605; 2nd R.*, 626; 3rd R.*, 669; R. A., 751.

(46) An Act respecting the Ottawa, Northern and Western Ry. Co., (Hon. Mr. Belcourt). Int., 148; 2nd R.*, 166; 3rd R.*, 198; R. A., 479.

(47) An Act to amend the Immigration Act, (Rt. Hon. Sir Richard Cartwright). Int., 166; 2nd R., *m.* rem., Rt. Hon. Sir Richard Cartwright, 192; M. agreed to, 192; in com., clause 1, rem., Hon. Mr. Macdonald, B.C., 220; on subclause 1, rem., Hon. Mr. Macdonald, B.C., Hon. Mr. Cloran, Rt. Hon. Sir Richard Cartwright, 221, adopted, 222; on clause 2, rem., Rt. Hon. Sir Richard Cartwright, Hon Mr. Macdonald, B.C., Hon Sir Mackenzie Bowell, Hon. Mr. Wilson, 222; adopted, 222; on clause 5, rem., Hon. Mr. Wilson, 222; Hon. Mr. Macdonald, B.C., 223, Rt. Hon. Sir Richard Cartwright, 222; adopted, 223; on subclause 4 of clause 6; rem., Hon. Mr. Wilson, Rt. Hon. Sir Richard Cartwright, 223; Bill reported without amt., Hon. Mr. Ellis, 223; 3rd R.*, 227; R. A., 479.

(48) An Act to amend the Montreal Harbour Commissioners Act, 1894, (Rt. Hon. Sir Richard Cartwright). Int., 636; 2nd R.*, 668; in Com., M. in amt., rem., Rt. Hon. Sir Richard Cartwright; 672; amts. agreed to and Bill with amts. concurred in, 672; 3rd R.*, 687.

(51) An Act respecting the Alberta Irrigation Co., (Hon. Mr. DeVeber). Int., 209; 2nd R.*, 232; M. for concurrence in amt by Standing Co., rem., Hon. Mr. Power, 635; M. agreed to, 636; 3rd R.*, 638; R. A., 751.

(53) An Act respecting the Dominion Atlantic Ry. Co., (Hon. Mr. Power). Int., 148; 2nd R.*, rem., Hon. Mr. Power, 166; 3rd R.*, 198; R. A., 479.

(54) An Act respecting the E. B. Eddy Co., (Hon. Mr. Belcourt). Int., 178; 2nd R.*, 196; 3rd R.*, 238; R. A., 479.

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(55) An Act respecting the Grand Trunk Ry. Co. of Canada, (Hon. Mr. Gibson). Int., 182; 2nd R., *m.* Hon. Mr. Young, rem., 198; M. agreed to, 198; 3rd R.*, 238; R. A., 479.

(56) An Act to incorporate the Hudson Bay Mortgage Corporation, (Hon. Mr. Ross, Moosejaw). Int., 294; 2nd R.*, 313; consdn. of amts. postponed, 385; *m.* concurrence in amts., Hon. Mr. Thompson 395; rem., Hon. Mr. Power, Hon. Mr Watson, 396; 3rd R.*, 478; R. A., 750.

(57) An Act respecting the London and North Western Ry. Co., (Hon. Mr. Coffey). Int., 149; 2nd R.*, 166; reported from Com., Hon. Mr. Béique, 193; rem., Hon. Mr. Boyer, Hon. Mr. Coffey, 193; 3rd R., Hon. Mr. Coffey, *m.* that title be amended, 226; M. agreed to, 227; M. in amt., Hon. Mr. Coffey, 278; rem., Hon. Mr. Wilson, 278; M. agreed to and Bill read 3rd time, 278; R. A., 480.

(59) An Act respecting the Athabaska and Northern Ry. Co., (Hon. Mr. DeVeber). Int., 178; 2nd R.*, 238; 3rd R.*, 386; R. A., 480.

60) An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company, (Hon. Mr. Belcourt). Int., 206; 2nd R.*, 223; 3rd R.*, 370; R. A., 480.

(61) An Act respecting the Pontiac Central Railway Co., (Hon. Mr. Campbell). Int., 182; 2nd R.*, 198; 3rd R.*, 238; R. A., 479.

(62) An Act respecting the Algoma Central and Hudson's Bay Ry. Co., (Hon. Sir Geo. W. Ross, Middlesex): Int., 209; 2nd R.*, 238; 3rd R.*, 463; R. A., 750.

(63) An Act to incorporate the British Columbia and Dawson Ry. Co., (Hon. Mr. Bostock). Int., 182; 2nd R.*, 311; Hon. Mr. Bostock *m.* concurrence in amts., 396; rem., Hon. Mr. Landry, Hon. Mr. Power, 396; Hon. Mr. Kerr, Rt .Hon. Sir Richard Cartwright, Hon. Mr. Ellis, 397; 3rd R.* 398; R. A., 750.

(64) An Act to incorporate the British Columbia and White River Ry Co., (Hon. Mr. Yeo). Int., 526; 2nd R.*, 549; 3rd R.*, 632; R. A., 751.

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(66) An Act respecting the Brockvillel, Westport and North Western Railway Co., (Hon. Mr. Jones). Int., 149; 2nd R.* 166; 3rd R.*, 208; R. A., 479.

(67) An Act respecting the Burrard-Westminster Boundary Ry. and Navigation Co., (Hon. Mr. Bostock). Int., 149; 2nd R.*, 171; 3rd R.*, 198; R. A., 479.

(68) An Act respecting the Campbellford, Lake Ontario and Western Ry. Co., (Hon. Mr. Derbyshire). Int., 241; 2nd R., rem., Hon. Mr. Derbyshire, 291; M. agreed to, 291; 3rd R.*, 393; R. A., 480.

(69) An Act respecting the Canadian Northern Ontario Ry. Co., (Hon. Mr Jones). Int., 209; 2nd R.*, 238; 3rd R.*, 430; R. A., 480.

(70) An Act respecting the Canadian Western Ry. Company, (Hon. Mr DeVeber). Int., 182; 2nd R.*, 198; 3rd R.*, 238; R. A., 480.

(71) An Act to incorporate the Empire Life Insurance Co., (Hon. Mr. Jones). Int., 149; 2nd R.*, 166; 3rd R.*, 227; R. A., 479.

(72) An Act respecting the Georgian Bay and Seaboard Ry. Co., (Hon. Mr. McMullen). Int., 178; 2nd R.*, 196; 2nd R.*, 238; R. A., 480.

(73) An Act respecting the Grand Trunk Pacific Branch Lines Company, (Hon. Mr. Watson). Int., 182; 2nd R.*, 198; 3rd R.*, 300; R. A., 480.

(74) An Act respecting the International Ry. Companies and International Traction Rys., (Hon. Mr. Gibson). Int., 241; 2nd R.*, 291; reported from Com., 385; Hon. Mr. Watson *m.* concurrence in amts., 411; rem., Hon. Mr. Lougheed, Hon. Mr. Béique, 411; M. agreed to, 411; 3rd R.*, 417; R. A., 750.

(75) An Act respecting the McClary Manufacturing Co., (Hon. Mr. Coffey). Int., 209; 2nd R.*, 232; 3rd R.*, 476; R. A., 751.

(76) An Act respecting the Ontario, Hudson's Bay and Western Ry. Co., (Hon. Sir Geo. W. Ross, Middlesex). Int., 209; 2nd R.*, 232; 3rd R.*, 430; R. A., 480.

(77) An Act respecting the National Weekly Indemnity Co., and to change its name to the Merchants and Employers Guarantee

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and Accident Company, (Hon. Mr. David). Int., 278; 2nd R.*, 313; 3rd R.*, 417; R. A., 480.

(80) An Act respecting the Buffalo Niagara and Toronto Ry. Co., (Hon. Mr. Riley). Int., 209; 2nd R.*, 238; 3rd R.*, 476; R. A., 750.

(81) An Act to incorporate the Canadian Northern Branch Lines Co., (Hon. Mr. Young). Int., 209; 2nd R.*, 232; reported from Com. with amts., 312; 3rd R.*, 370; R. A., 480.

(82) An Act respecting the Kettle River Valley Ry. Co., and to change its name to The Kettle Valley Ry. Co., (Hon. Mr. Bostock). Int., 149; 2nd R.*, 171; *m.* concurrence in amts., Hon. Mr. Béique, 294; M. agreed to, 294; 3rd R.*, 390; R. A., 480.

(83) An Act to incorporate the Simcoe, Grey and Bruce Ry. Co., (Hon. Mr. Campbell). Int., 209; 2nd R.*, 238; reported from Com. with amt., 366; 3rd R.*, 393; R. A., 750.

(84) An Act respecting the Southern Central Pacific Ry. Co., (Hon. Mr. Watson). Int., 241; 2nd R.*, 291; 3rd R.*, 393; R. A., 480.

(85) An Act respecting Forest Reserves and Parks, (Rt. Hon. Sir Richard Cartwright). Int., 1st R.*, 739; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 739; in Com., rem., Hon. Mr. Power, Hon. Sir Geo. W. Ross (Middlesex), Hon. Mr. Ellis, 740, Hon. Sir Mackenzie Bowell, Hon. Mr. Kerr (Speaker), Hon. Mr. Campbell, 741, Hon. Mr. Jaffray, Rt. Hon. Sir Richard Cartwright, Hon. Sir Geo. W. Ross (Middlesex), 742; 3rd R.*, 743; R. A., 751.

(88) An Act respecting the Bay of Quinte Ry. Co., (Hon. Mr. Jones). Int., 209; 2nd R.*, 232; 3rd R.*, 323; R. A., 480.

(89) An Act respecting the Canadian Northern Quebec Ry. Co., (Hon. Mr. Lavergne). Int., 209; 2nd R.*, 232; 3rd R.*, 323; R. A., 480.

(90) An Act respecting the Indian River Ry. Co., (Hon. Mr. Lavergne). Int., 209; 2nd R.*, 232; 3rd R.*, 386; R. A., 480.

(91) An Act to incorporate the Pacific and Peace River Ry. Co., (Hon. Mr. Bostock). Int., 294; 2nd R.*, 313; amts. concurred in, rem., Hon. Mr. Power, 439; 3rd R.*, 461; R. A., 750.

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(92) An Act respecting the Alberta Central Ry. Co., (Hon. Mr. Talbot). Int., 276; 2nd R.*, 294; 3rd R.*, 398; R. A., 480.

(93) An Act to incorporate the Alberta Electric Ry., (Hon. Mr. Talbot). Int., 412; 2nd R.*, 430; 3rd R.*, 634; R. A., 751.

(94) An Act respecting the Western Central Ry. Co., (Hon. Mr. Campbell). Int., 446; 2nd R, rem., Hon. Mr. Campbell, 465; 3rd R.*, 528; R. A., 751.

(97) An Act to prohibit the improper use of Opium and other Drugs, (Rt. Hon. Sir Richard Cartwright). Int., 166; 2nd R. *m.* rem., Rt. Hon. Sir Richard Cartwright, 191, rem., Hon. Mr. McMillan, 365, 192; in Com., rem., Hon. Mr. Lougheed, 214, Rt. Hon. Sir Richard Cartwright, 215, Hon. Mr. Power, 216, 364, Hon Mr. Cloran, 217, Hon. Mr. Kerr, Speaker, 218, Hon. Mr. Béique, 219, Hon. Mr. McHugh, 219, Hon. Mr. Coffey, 220; order discharged, 326; rem., Hon. Sir Richard Scott, 363, Hon. Mr. Dandurand, 365, Hon. Mr. McMillan, 365; on clause 3, rem., Hon. Mr. Wilson, 398, Hon. Mr. Power, 400, Hon. Mr. Baird, 400, Hon. Mr. Thompson, 400, Hon. Mr. McMillan, 401, Hon. Mr. Wilson, 403; *m.* in amt. to clauses 4 and 5, Hon. Mr. McMillan, rem., Hon. Mr. Wilson, 403, Hon. Mr. Ellis, Hon. Mr. Power, 404, Rt. Hon. Sir Richard Cartwright, Hon. Mr. Lougheed, 408, Hon. Mr. Kerr (Speaker), 407; amt. adopted., 407; on clause 6, rem., Hon. Mr. Lougheed, Hon. Sir Richard Scott, 408; on clause 8, rem., Hon. Mr. Wilson, 409; on clause 9, rem., Hon. Mr. Power, Hon. Mr. Wilson, 410; on clause 11, rem., Hon. Mr. Wilson, 410; on the schedule, rem., Rt. Hon. Sir Richard Cartwright, Hon. Mr. McMillan, 411; Bill with amts. concurred in, 411; 3rd R., amt. to schedule *m.* by Sir Richard Cartwright, 435; rem., Hon. Mr. McMillan 435, Hon. Mr. Wilson, 436, amt. agreed to, 437; Hon. Mr. McMillan *m.* amt. to clause 4, 437; rem., Hon. Mr. Power, 437, Hon. Mr. Wilson, Hon. Mr. Dandurand, 438; amt. withdrawn, 438; Hon. Mr. McMillan *m.* amt. to section 5, 438; rem., Rt. Hon. Sir Richard Cartwright, 438; Hon. Mr. Wilson, 439; amt. lost on division, 439; M. for 3rd R. agreed to, 439; R. A., 751.

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(99) An Act to incorporate the Niagara, Welland and Lake Erie Ry. Co., (Hon. Mr. Gibson). Int., 276; 2nd R.*, 294; 3rd R.*, 386; R. A., 480.

(100) An Act respecting the Orford Mountain Ry. Co., (Hon. Mr. Lavergne). Int., 209; 2nd R.*, 282; 3rd R., 393; R. A., 480.

(101) An Act respecting the Huron & Ont. Ry. Co., (Hon. Sir Geo. W. Ross, Middlesex). Int., 299; 2nd R.*, 323; 3rd R.*, 476; R.A., 750.

(102) An Act to incorporate the Imperial Traction Co., (Rt. Hon. Sir Richard Cartwright). Int., 345; 2nd R.*, 396; 3rd R.*, 632; R. A., 751.

(103) An Act relating to steamboat subsidies, (Rt. Hon. Sir Richard Cartwright). Int., 652; 2nd R.*, rem., Rt. Hon. Sir Richard Cartwright, 684; 3rd R.*, 706; R.A., 751.

(104) An Act to amend the Post Office Act, (Rt. Hon. Sir Richard Cartwright). Int., 605; 2nd R.*, 626; 3rd R.*, 634; R. A., 751.

(105) An Act respecting the Imperial Steamship Co., (Hon. Mr. Thompson). Int., 299; 2nd R.*, 323; 3rd R.*, 476; R. A., 750.

(106) An Act to incorporate the Lake Erie & Northern Ry. Co., (Hon. Mr. Thompson). Int., 299; 2nd R.*, 323; 3rd R.*, 476; R. A., 750.

(108) An Act respecting the Canadian Pacific Ry. Co., (Hon. Mr. Watson). Int., 412; 2nd R.*, 430; 3rd R.*, 528; R. A., 750.

(109) An Act respecting the Ontario & Minnesota Power Co., (Hon. Mr. Watson), 1st and 2nd R.*, 462.

(110) An Act respecting the Peoples Ry. Co., (Hon. Mr. Ratz). Int., 345; 2nd R.*, 386 3rd R.*, 476; R. A., 750.

(111) An Act to incorporate the Saskatoon and Hudson Bay Ry. Co., (Hon. Mr. Thompson). Int., 333; 2nd R.*, 385; 3rd R.*, 476; R. A. 750.

(113) An Act to incorporate the British Columbia and Central Canada Ry. Co., (Hon. Mr. Riley). Int., 388; 2nd R.*, 398; 3rd R.*, 476.

(122) An Act for granting to His Majesty certain sums of money for the public service for the financial year ending, March 31, 1911, (Rt. Hon. Sir Richard Cartwright). 1st, 2nd, 3rd R.*, 295; R. A., 295.

(123) An Act to incorporate the Banque Internationale du Canada, (Hon Mr. Casgrain). Int., 446; 2nd R.*, 465; 3rd R.*, 478; R. A., 480.

(132) An Act to correct certain clerical errors in the French version of the Inland Revenue Act, (Rt. Hon. Sir Richard Cartwright). Int., 605; 2nd R.*, 626; 3rd R.*, 634; R. A., 751.

(150) An Act to authorize the Govt. of Canada to acquire by lease a certain line of railway in the Province of New Brunswick, (Rt. Hon. Sir Richard Cartwright). Int. and 1st R., 636; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 677; Hon. Sir Mackenzie Bowell, 678; Hon. Mr. Power, 679; Hon. Mr. Thompson, 680; in Com., rem., Hon. Sir Geo. W. Ross (Middlesex), 691, 712, Mr. Casgrain, 695, 713; Hon. Mr. Baird, 697, Hon. Mr. Thompson, 690, 715, Hon. Mr. Domville, 701, Hon. Mr. Choquette, 702, 712, 714, Hon. Mr. Cloran, 703, Hon. Mr. Ellis, 716, Rt. Hon. Sir Richard Cartwright, 716; Bill reported without amt., Mr. Owens, 717; 3rd R., M. Rt. Hon. Sir Richard Cartwright, 717, *m.* in amt., Hon. Sir Geo. W. Ross, Middlesex), 718, rem., Hon. Mr. Kerr (Speaker), 718; M. agreed to, 718; R. A., 751.

(156) An Act to amend the Department of Railways and Canals Act, (Rt. Hon. Sir Richard Cartwright). Int., 636; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 668; in Com., rem., Rt. Hon. Sir Richard Cartwright, 672, Hon. Sir Mackenzie Bowell, 673; Bill reported and read a 3rd time, 673; R. A., 751.

(157) An Act respecting the inspection and sale of Seeds, (Rt. Hon. Sir Richard Cartwright). Int., 631; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 634; in Com., on clause 5, rem., Rt. Hon. Sir Richard Cartwright, Hon. Mr. Lougheed, Hon. Mr. Young, 651; on clause 7, rem., Hon. Mr. Wilson, 652; on clause 8, Rt. Hon. Sir Richard Cartwright, Hon. Sir Mackenzie Bowell, 652; 3rd R.*, 677; R. A., 751.

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(160) An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively March 31, 1911, and March 31, 1912, (Rt. Hon. Sir Richard Cartwright). 1st, 2nd and 3rd R.*, 478; R. A., 480.

(177) An Act to amend the Indian Act, (Rt. Hon. Sir Richard Cartwright). Int., 652; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 669, Hon. Sir Mackenzie Bowell, Hon. Mr. Lougheed, 670, Hon. Mr. Macdonald, B.C., 671; 3rd R.*, 687; R. A., 751.

(179) An Act respecting the Songhees Indian Reserve, (Rt. Hon. Sir Richard Cartwright). Int., 582; 2nd R., M. rem., Rt. Hon. Sir Richard Cartwright, 625, Hon. Mr. Macdonald, B.C., 626; M. agreed to, 626; 3rd R.*, 634; R. A., 751.

(185) An Act to amend the Fisheries Act, (Rt. Hon. Sir Richard Cartwright). Int., 636; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, Hon Mr. Macdonald, B.C., 669; in Com., on sub clause 2 of clause 1, rem., Hon. Mr. Power, Rt. Hon. Sir Rich. Cartwright, 682; on clause 5, *m.* amt., rem., Hon. Mr. Power, 682; rem.. Rt. Hon. Sir Richard Cartwright, 683; amt. lost, 683; Hon. Mr. Gillmor, from Com. reported Bill without amt., 684; 3rd R.*, 687; R. A., 751.

(197) An Act to amend Railway Act, (Rt. Hon. Sir Richard Cartwright). Int., 730; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, Hon. Mr. Landry, Hon. Sir Mackenzie Bowell, 737; in Com., on clause 1, rem., Hon. Mr. Wilson, Rt. Hon. Sir Richard Cartwright, 738; on clause 5, rem., Hon. Mr. Wilson (St. Thomas), Rt. Hon. Sir Richard Cartwright, Hon. Sir Richard Scott, 738; on clause 13, rem , Hon Sir Richard Scott, Hon. Sir Mackenzie Bowell, 738; Bill reported without amt., Hon. Mr. David, 738; 3rd R.*, 738; R. A., 751.

(211) An Act respecting and towards the construction of the Canadian Northern Ontario Ry., (Rt. Hon. Sir Richard Cartwright). Int., 717; 2nd R., rem., Rt Hon. Sir Richard Cartwright, 718; Hon. Sir Mackenzie Bowell, 720, Hon. Mr. Choquette, 721, M. agreed to, 721; in Com., on clause 1, rem., Hon. Mr. Power 721, Hon. Mr. Casgrain, 722; on clause 2, rem., Rt. Hon. Sir Richard Cartwright, Hon. Sir Geo. W. Ross (Middlesex), 722, 723, Hon. Mr. Casgrain, 723; on clause 3, rem., Rt. Hon. Sir Richard Cartwright, 725; on clause 4, rem., Hon. Sir Geo W. Ross (Middlesex), Rt. Hon. Sir Richard Cartwright, 725; on clause 5, rem.. Rt. Hon. Sir Richard Cartwright, 725; on clause 7, rem., Hon. Mr. Casgrain, Hon Sir Mackenzie Bowell, 726; on clause 10, rem., Rt. Hon. Sir Richard Cartwright, 727; on clause 13, rem., Hon. Sir Geo. W. Ross (Middlesex), Rt. Hon. Sir Richard Cartwright, Hon. Mr. Edwards, Hon. Sir Mackenzie Bowell, 727, Hon. Mr. Domville, 728; on clause 14, rem., Hon. Sir Geo. W. Ross (Middlesex), Rt. Hon. Sir Richard Cartwright, Hon. Mr. Owens, 728; on the schedule, rem., Hon. Mr. Bostock, Hon. Mr. Kerr (Speaker), Hon. Sir Geo. W. Ross (Middlesex), Rt. Hon. Sir Richard Cartwright, 729; amt. withdrawn. Hon. Mr. Casgrain, 730; Bill reported without amt., 730; 3rd R.*, 730; R. A., 751.

(212) An Act to amend the Water Carriage of Goods Act, (Rt. Hon. Sir Richard Cartwright). Int., 730, 2nd and 3rd R., M. by Rt. Hon. Sir Richard Cartwright, 735; rem., Hon. Mr. Campbell, 735; M. agreed to, 736; R. A., 751.

(213) An Act to amend the Bank Act, (Rt. Hon. Sir Richard Cartwright). Int., 1st, 2nd and 3rd R.*, 717; R. A., 751.

(216) An Act to amend the Post Office Act, (Rt. Hon. Sir Richard Cartwright). Int., 1st R.*, 750; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 750; 3rd R.*, 750; R. A., 751.

(219) An Act to amend the Quebec Savings Bank Act, (Rt. Hon. Sir Richard Cartwright). Int., 730; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, Hon. Sir Mackenzie Bowell, 736; in Com., on clause 4, rem., Hon. Mr. Wilson, Rt. Hon. Sir Richard Cartwright, 736; Bill reported without amt., Hon. Mr. Derbyshire, 736; 3rd R.*, 736; R. A., 751.

(221) An Act to amend the Penny Bank Act, (Rt. Hon. Sir Richard Cartwright). Int., 1st, 2nd and 3rd R.*, 717; R. A., 751.

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(222) An Act respecting the National Battlefields at Quebec, (Rt. Hon. Sir Richard Cartwright), 1st R.*, 738, 2nd R., rem., Rt. Hon. Sir Richard Cartwright, 738; 3rd R.*, 739; R. A., 751.

(224) An Act respecting duties of Customs on Importations from Japan, (Rt. Hon. Sir Richard Cartwright). Int., 1st R.*, 739; 2nd R., rem., Rt. Hon. Sir Richard Cartwright, Hon. Sir Mackenzie Bowell, 739; 3rd R.*, 739; R. A., 751.

(225) An Act for granting to His Majesty certain sums of money for the public service for the fianancial years ending respectively 31st March 1911 and 31st March 1912, (Rt. Hon. Sir Richard Cartwright). Int., 1st R.*, 748; 2nd R.*, rem., Rt. Hon. Sir Richard Cartwright, Hon. Sir Mackenzie Bowell, 748; 3rd R.*, 750; R. A., 751

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